

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 1975 of 2021**

- Punit Ram Nishad S/o Shri A.R. Nishad Aged About 59 Years Presently Working As Senior Agriculture Development Officer, Block Farasgaon, District Kondagaon Chhattisgarh., District : Kondagaon, Chhattisgarh

---- Petitioner**Versus**

1. The State Of Chhattisgarh Through Secretary, Department Of Agriculture , Mahanadi Bhawan, Atal Nagar , District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. The Commissioner Directorate Of Agriculture, Raipur , District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
3. The Joint Director Agriculture Bastar Division , Jagdalpur , District Bastar
4. The Collector District Kondagaon Chhattisgarh.
5. The Deputy Director Agriculture District Kondagaon Chhattisgarh.
6. Smt. Devmani Markam Presently Working As Agriculture Development Officer , Block Farasgaon, District Kondagaon Chhattisgarh., District : Kondagaon, Chhattisgarh

----Respondents

For the Petitioner	: Mr. Aman Upadhyay, Advocate
For the State	: Mr. Rahul Jha, G.A.

Hon'ble Shri Justice P. Sam Koshy
Order On Board

24/03/2021

1. Challenge in the writ petition seems to be impugned order Annexure P-1 dated 17.02.2021 whereby the place of the posting of the petitioner has been shifted from the post of Senior Agriculture Development Officer Block- Farasgaon to the office of the Deputy Director at Kondagaon.
2. The petitioner is challenging the same on the ground that the impugned order amounts to attachment of the petitioner from one

place to another.

3. Per contra the learned State counsel on the other hand submits that the plain reading of the impugned order would show that the same is not an order of attachment but this only a change of place of posting of officers under the District directors District Kondagaon from one place to another and it is not an attachment order at all.
4. The State counsel further assailed to the impugned order submits that the plain reading of the impugned order would also reveal that change is on account of administrative exigency, as highlighted in the impugned order which again cannot be said to be in any manner arbitrary or mala fide.
5. Having heard the contention put-forth on either side and on perusal of record, considering the reasons assigned in the application which definitely would fall within the ambit of an administrative exigency and also taking note of this fact that the impugned order has been passed in respect of 8 officers working under the Deputy Directors Agriculture District Kondagaon for the better administration of the work under the Department, the internal shifting of place of posting of different officers had been carried out vide Annexure P-1.
6. Given the said facts it cannot be said that the impugned order is an order of attachment or is contrary to the circular pertaining to attachment issued by the State Government.
7. The writ petition thus being totally devoid of merit deserve to be and is accordingly rejected.

Sd/-

(P. Sam Koshy)
Judge

Parul