

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 2114 of 2021**

Sanjay Rathore S/o Kashiram Rathore Aged About 40 Years R/o 283/1,
Near Bsnl Tower, Old Market Road, Udaipur, District Surguja Chhattisgarh
Pin 497116, District : Surguja (Ambikapur), Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary Department Of Revenue And Disaster Management , S2-14, Mahanadi Bhawan, Nava Raipur Atal Nagar Chhattisgarh., District : Raipur, Chhattisgarh
2. Collector Ambikapur District Surguja Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh
3. Office Of District Registrar Through Presiding Officer, Ambikapur , District Surguja Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh
4. Sh. Siddharth Shankar Mishra Sub Registrar, Ambikapur , District Surguja Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Rohishek Verma with Mr. Aman Saxena, Advocates
For State	:	Ms. Akansha Jain, Dy. GA

Hon'ble Shri Justice P. Sam Koshy**Order on Board****26/03/2021**

1. The present writ petition has been filed assailing the impugned order Annexure P-1 dated 16.03.2021 whereby the petitioner has been relieved of from the in-charge post of Sub Registrar and has been sent to his substantive place of posting of Nayab Tahsildar. The petitioner projected his case as if the petitioner has been subjected to frequent transfers and has been victimized by the authorities under the respondents.
2. Plain reading of the order dated 03.12.2020 it would clearly reflect that since the petitioner was working on the post of Nayab Tahsildar in District Surguja posted at Ambikarpur, he was posted on ad-hoc basis till further orders ordered to discharge the duties as in-charge Sub Registrar.

3. Down the line the impugned order Annexure P-1 dated 16.03.2021 it would clearly reveal that respondents have posted a regular Deputy Registrar namely Siddharth Shankar Mishra to discharge his duties of Sub Registrar and since the arrangement has been made on ad-hoc arrangement made by the respondents by giving the charge to the petitioner was recalled and petitioner has been sent back to his substantive post of Nayab Tahsildar at the same place from where he was made in charge Sub Registrar.
4. Prima facie, this Court is of the opinion that both these orders i.e. the order dated 03.12.2020 and order by which the petitioner was made in charge Sub Registrar and as also the impugned order now dated 16.03.2021 by which the ad-hoc arrangement of the petitioner discharging the duties as Incharge Sub Registrar being canceled in the light of a regular Deputy Registrar being appointed would not fall within the category of transfer of petitioner from one place of another.
5. Given the fact that two orders do not fall within the category of transfer, the two orders also cannot be construed for the purpose of treating the petitioner to be subjected to frequent transfers. In view of the same the writ petition being devoid of merits deserves to be and is accordingly stands rejected.

Sd/-
(P. Sam Koshy)
Judge

Rohit