

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****WPS No. 2630 of 2021**

- Neha Sahu D/o. Ashok Kumar Sahu Aged About 33 Years R/o. C/o. Mamta Tiwari, Behind Shriram Hospital, Daganiya Turn, Raipur, District Raipur Chhattisgarh.

**---- Petitioner****Versus**

1. State Of Chhattisgarh Through Secretary, Food Civil Supplies And Consumer Protection Department, Mahanadi Bhawan, Mantralaya, Capital Complex, Atal Nagar, Nawa Raipur, District Raipur (Chhattisgarh)
2. Controller (Legal Metrology) Chhattisgarh, Indrawati Bhawan, Naya Raipur, Atal Nagar, Raipur, District Raipur Chhattisgarh
3. Assistant Controller (Legal Metrology) Chhattisgarh, Indrawati Bhawan, Naya Raipur, Atal Nagar, Raipur, District Raipur Chhattisgarh

**---- Respondents**


---

|                 |   |                               |
|-----------------|---|-------------------------------|
| For Petitioner  | : | Shri Manoj Paranjpe, Advocate |
| For Respondents | : | Ms. Akanksha Jain, Dy. G.A.   |

---

**Hon'ble Shri Justice Goutam Bhaduri****Order On Board****21/05/2021**

Heard.

1. The grievance of the petitioner is that the petitioner has been transferred from Raipur to Kanker by order dated 25.03.2021 (Annexure P-1).
2. Learned counsel for the petitioner submits that the petitioner is holding the post of Vice President of C.G. Legal Metrology Inspector Cadre Union (Annexure P-2) and as per the adopted circular of the State dated

24.06.1998, the person who holds some post in association/ recognized union are exempted from transfer. Under the circumstances representation was made by the President of C.G. Legal Metrology Inspector Cadre Union (Annexure P-5) for cancellation of transfer of the petitioner. He further submits that the petitioner is still working at Raipur which would be evident from the pay slip (Annexure P-8) whereby the payment is being made to the petitioner, therefore the transfer of the petitioner may be cancelled.

3. Learned State counsel opposes the argument.
4. Considering the grounds which are raised by the petitioner and taking into the fact that the petitioner is holding a post in the recognized union and the petitioner has already made a representation to Respondent No. 2, under the circumstances the petitioner is given the liberty to make a fresh representation to Respondent No. 1 within a period of 2 weeks from today. If such representation is made the same shall be decided within a further period of 45 days from the date of receipt of the copy of the representation, till then, the transfer order of the petitioner dated 25.03.2021 (Annexure P-1) shall not be executed.
5. With the aforesaid observation, the petition stands disposed of.

Sd/-

Goutam Bhaduri  
Vacation Judge