

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 3947 of 2021**

Dr. Vijay Kumar Verma S/o Late Rajendra Kumar Verma, Aged About 51 Years Presently Working As Assistant Veterinary Surgeon At The Office Of Joint Director Department Of Veterinary Services, Raipur District - Raipur Chhattisgarh.

---- **Petitioner**

Versus

1. State Of Chhattisgarh, Through The Deputy Secretary Department Of Veterinary Services, Mantralaya Capital Complex, Mahanadi Bhawan, Atal Nagar Naya Raipur, District - Raipur Chhattisgarh.
2. The Director Department Of Veterinary Services, Mantralaya Capital Complex, Indrawati Bhawan Atal Nagar Raipur, District - Raipur Chhattisgarh.
3. Deputy Director Department Of Veterinary Services, Mata Mahamari Project, Kankali Hospital Parisar, Braham Para, Raipur District - Raipur Chhattisgarh.
4. Joint Director Department Of Veterinary Services, Mandi Get Pandari, Raipur Division, District - Raipur Chhattisgarh.

----**Respondents**

For Petitioner	:	Mr. A.K. Yadav, Advocate
For State	:	Mr. Ishan Verma, Panel Lawyer

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

02/08/2021

1. The grievance of the petitioner in the present writ petition seems to be the rejection of the representation of the petitioner for an appropriate modification on the order of transfer dated 13.05.2020 transferring the petitioner from Raipur to Baloda Bazar.
2. The petitioner in the past had approached the High Court by way of a writ petition i.e. WPS No. 1383/2020, which was disposed of on 28.02.2020 directing the petitioner to make a representation and till the representation is decided, the order would not be given effect

to. Subsequently, the authorities concerned seems to have considered the representation of the petitioner and have partly allowed the same vide order dated 13.05.2020 and have modified the transfer order and have granted the petitioner a location closer to District Raipur i.e. at the Veterinary Hospital, at Nawapara, District Baloda Bazar instead of Sarsiwa, District Baloda Bazar. The present writ petition has now been filed after the petitioner stood relieved on 12.07.2020 in terms of the order dated 13.05.2020.

3. The fact that the respondents authorities have already sympathetically considered the claim of the petitioner and have modified the place of posting, this Court is of the opinion that the authorities concerned seems to have considered all the factual matrix of the representation of the petitioner while taking a decision on 13.05.2020.
4. Now the submission of the petitioner is that there are large number of vacancies available in the District Raipur itself and the respondents should have considered the claim of the petitioner against any of the vacant post in District Raipur. As regards the place of posting and the tenure of posting are concerned, these are exclusively one which is under the domain of the State Authorities. The High Court for that matter exercising the writ jurisdiction cannot decide the place of posting of a person. Moreover, in the instant case, the petitioner seems to have been placed at a nearby adjacent district very close to District Raipur itself. If the petitioner still is not happy with the new place of posting, the only recourse available to the petitioner now is to again make a suitable representation to the authorities concerned for a suitable transfer or

a change of posting, which if made, shall be duly considered on its own merits by the respondents keeping in view the contents of the representation, which the petitioner shall made.

5. The petitioner has already made a representation vide Annexure P/9. In addition, the petitioner would also be entitled to make a fresh representation in this regard. If such a representation is made, the authorities concerned may consider and decide the same on its own merits at the earliest.
6. With the aforesaid observations, the present writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

Ved