

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 4353 of 2021**

1. Nitun Miry S/o Shri Sitaram Miry Aged About 35 Years Working As Patwari, Posted As P.H. No. 8, Binjkot, Tahsil- Pusore, District- Raigarh, Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Revenue And Disaster Management Department, Mahanadi Bhawan, Mantralaya, New Raipur, District- Raipur, Chhattisgarh.
2. Under Secretary State Of Chhattisgarh, Revenue And Disaster Management Department, Mahanadi Bhawan, Mantralaya, New Raipur, District- Raipur, Chhattisgarh.
3. Upper Collector Raigarh, District- Raigarh, Chhattisgarh.
4. Sub- Divisional Officer District- Raigarh, Chhattisgarh.
5. Tehsildar District- Raigarh, Chhattisgarh.

----Respondents

For Petitioner	:	Shri Sumit Singh Rathore, Advocate
For State	:	Ms. Akanksha Jain, Dy. G.A.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****17.08.2021**

1. Aggrieved by the impugned order of transfer dated 14.07.2021, the present writ petition has been filed.
2. Vide the said order, the petitioner has been shown to have been transferred from Patwari Halka No. 08 Binjkot, Tahsil Pusore to P.H. No. 17, Tahsil Baramkela District Raigarh.

3. Counsel for the petitioner submits that the petitioner is not working at P.H. No. 08 rather the petitioner presently is working at P.H. No. 41 vide the order dated 15.07.2020. Thus, the P.H. No. 08 in the impugned order Annexure P/1 so far as the present place of posting of the petitioner is concerned, has been wrongly mentioned and therefore the petitioner cannot be relieved from present place of posting.
4. Learned State Counsel on the other hand submits that the same appears to be a clerical error so far as the place of posting of the petitioner is concerned. However, since the petitioner has made a representation vide Annexure P/10, the same shall be decided after due consideration on merits.
5. Given the said submission made by the Counsel appearing for the parties, the present writ petition at this juncture is disposed off directing the respondents to consider and decide the representation of the petitioner on its own merits in accordance with law, particularly, taking note of the fact that petitioner was not substantially posted at P.H. No. 08 but was posted at P.H. No. 41. Let a decision be taken within a period of 30 days from the date of receipt of copy of this order.
6. Meanwhile, purely as an interim measure, the respondents are restrained from taking any coercive steps against the petitioner.
7. Accordingly, the present writ petition stands disposed off.

Sd/-
P. Sam Koshy
Judge