

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No. 4555 of 2021

1. Jeevrakhan Lal Dhruv S/o Shri M R Dhruv Aged About 61 Years R/o Ward -14, Near Sub - Health Center, Bhatgaon, Police Station - Dhamtari, Dhamtari Chhattisgarh.

---Petitioner(s)

Versus

1. State of Chhattisgarh Through - The Secretary, Department of Panchayat and Rural Development, Mantralaya, Mahanadi Bhawan, Naya Raipur, Raipur Chhattisgarh.

---Respondents

For Petitioner	:	Shri N N Roy, Advocate.
For Respondent State	:	Ms. Akanksha Jain, Dy. Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

31.08.2021

1. Aggrieved by the order of transfer dated 17.08.2021 the present writ petition has been filed. Vide the impugned order the petitioner who is working on the post of Executive Engineer in the Rural Engineering Services have been transferred from Dhamtari to Bemetara.
2. On a query being put to the counsel for the petitioner he fairly concedes that he has been working at the present place of posting for last five years.
3. Given the fact that the petitioner has put in more than five years of service at the present place of posting no strong case for grant of any interim relief has been made out as of now nor any any strong case for interference with the impugned order is made out. The ground of the petitioner that he is one who falls within the protected category being a President of the recognized employee union, also may not have that much force for the reason that he has put in more than five years of service at the present place of posting.
4. Another ground raised by the petitioner that he has got just about 13 months time left for retirement also would not have much force for the

reason that the distance between the two place of posting also are not much as the two districts are nearby districts with very easy access to each other. However, petitioner's right would still be there for approaching the respondents ventilating his grievances so far as the order of transfer is concerned. An administrative exigency itself is reflected in Annexure P/1. The post of Executive Engineer at Bemetara was lying vacant which has caused for the issuance of the impugned order.

5. Subject to the petitioner making a suitable representation to the respondents, the respondents are expected to take an appropriate decision on the said representation on its own merits in accordance with policy governing the field at the earliest.
6. The writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

inder