

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 5213 of 2021**

Ravi Rahi S/o Shri Pramod Rahi, Aged About 31 Years Presently Working As Joint Collector, District Jashpur, R/o House No. 754 Talapara, Banerjee Gali, Juna Bilaspur, District Bilaspur Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, General Administration Department, Mahanadi Bhawan, Nawa Raipur, Atal Nagar, District Raipur Chhattisgarh
2. Collector Jashpur, District Jashpur Chhattisgarh

----Respondents

For Petitioner	:	Ms. Sharmila Singhai, Sr. Advocate with Mr. Sanjay Agrawal, Advocate
For State	:	Mr. Amrito Das, Additional A.G.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****27/09/2021**

1. Aggrieved of the impugned order Annexure P/1 dated 12.09.2021 the petitioner has filed the present writ petition. Vide the impugned order the petitioner working on the post of Joint Collector has been transferred from District Jashpur to District Kanker in the same capacity.
2. The contention of the petitioner is that for the last more than 5 years the petitioner has been working in a scheduled area and now the petitioner has again been transferred to a scheduled area, where part of the district is a core scheduled area.
3. The further contention of the petitioner is that as per the circulars issued by the State Government, after a person worked in a scheduled area for atleast a period of time, he/she is entitled to be given a posting in a non-

scheduled area, but contrary to the same, the petitioner now has been sent from scheduled area to another scheduled area, thus it violates the circulars of the State Government itself.

4. Counsel for the petitioner submits that the petitioner has already made a representation to the respondent authorities on 13.09.2021 and they may be directed to consider and decide the said representation on the basis of circulars governing the field.
5. State counsel on the other hand opposing the petition submits that it is a case where the petitioner is only 30-31 years of age and considering the age of the petitioner, he has been sent to the said particular place. Moreover, the transfer is an incident of service and the services of the petitioner is a transferable service, therefore there is hardly any scope of interference left for this Court.
6. Given the facts and circumstances of the case, the writ petition at this juncture stands disposed of directing the respondent No.1 to consider the representation that the petitioner has preferred on 13.09.2021 within an outer limit of 3 weeks from the date of receipt of the copy of this order.
7. Purely as an interim measure in case if the petitioner has not been relieved from service, let status-quo as it exist today be maintained so far as the petitioner is concerned, till the representation of the petitioner is decided.
8. With the aforesaid observations, the present writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge