

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 5696 of 2021**

Tekchand Agrawal S/o Fatechand Agrawal, Aged About 46 Years
Joint Collector, Baloda Bazar Bhatapara, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Department Of General Administrative Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, Nava Raipur, District Raipur, Chhattisgarh
2. Collector, Baloda Bazar, District Baloda Bazar- Bhatapara Chhattisgarh
3. Collector, Ambikapur, District Surguja, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. T. K. Jha, Advocate
For State	:	Mr. Ayaz Naved, Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****07.10.2021**

1. Aggrieved by the order of transfer dated 12.09.2021, the present writ petition has been filed. Vide the impugned order, the petitioner has been transferred Baloda Bazar to Surguja.
2. The petitioner is working on the post of Joint Collector and is posted at the present place since August, 2019 i.e. the petitioner has by now put in more than 2 years of regular services at the present place of posting.
3. The ground raised by the petitioner in assailing the order of transfer seems to be only after the effect of COVID-19 whereby the petitioner

was also infected with the said virus and is under treatment.

4. Considering the fact that the petitioner is just around 46 years of age and that the petitioner is holding quite a responsible post that of Joint Collector, their posting and tenure of posting cannot be compared with any other ministerial and non- ministerial staffs of the department. The administrative exigency, at the level at which the petitioner is discharging the duties keeps on changing and the requirement of posting an officer of the cadre of Joint Collector is required to be moved on administrative exigency at regular intervals considering the nature of the situations and circumstances that arise. This Court, therefore in these circumstances, does not find it to be a fit case for interfering with the impugned order.
5. However, it has been informed that the petitioner has already made a representation to the department against the order of transfer dated 12.09.2021. The department would be free to take an appropriate decision on the said representation and the petitioner would also be at liberty to pursue the representation on the administrative side.
6. If the petitioner has some difficulties in joining at the present place of posting as of now, for that also he would be at liberty to approach the department on the administrative side seeking extension of time for joining.

**Sd/-
(P. Sam Koshy)
Judge**