

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 5751 of 2021**

1. Yogesh Kumar Rathore S/o Umashanker Rathore, Aged About 48 Years
Occupation - Sub - Engineer At Municipal Corporation Korba, District Korba
Chhattisgarh.

---- **Petitioner****Versus**

1. State Of Chhattisgarh Through Secretary, Urban Administration And
Development, Raipur District - Raipur Chhattisgarh.
2. Deputy Secretary, Chhattisgarh State, Urban Administration And
Development, Raipur District - Raipur Chhattisgarh

---- **Respondents**

For Petitioner	:	Mr. Awadh Tripathi, Advocate
For State	:	Mr. Kunal Das, P.L.

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

1. Aggrieved by the impugned order Annexure P/1, the present writ petition has been filed.
2. Vide the impugned order dated 30.09.2021, the services of the petitioner, working as a Sub-Engineer, has been transferred from Municipal Corporation Korba to Nagar Panchayat Bhatgaon, Distt. Balodabazar, Bhatapara.
3. The contention of the petitioner is that he was posted elsewhere and on his request upon his spouse i.e. his wife also being in government employment, he was transferred at the place where his wife was posted i.e. Korba and now in less than three years time, the petitioner has been shifted to a different place. Counsel for the petitioner submits that his elder son is

studying in class 12th and if the petitioner is shifted at this juncture, the studies of the petitioner's son particularly 12th Board examination that the petitioner's son would be appearing for, would be adversely affected and he be permitted to remain at the present place posting till the present academic session atleast, for which he shall make a suitable representation to the authorities concerned.

4. Given the said submission by the counsel for the parties, the present writ petition at this juncture is disposed of directing the petitioner to approach the respondent No. 1 by way of a representation to be made within a period of 10 days. Upon such representation being made, the respondent No. 1 is expected to take an appropriate decision within a period of 60 days from the date of receipt of representation of the petitioner.
5. Purely as an interim measure, taking into consideration the fact that son of the petitioner is pursuing his 12th board examination, the respondent-authorities are directed not to give effect to the impugned order of transfer so far as petitioner is concerned, till representation is decided.
6. The present writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge