

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 6414 of 2021**

- R. K. Soni S/o Late Shri S.S. Soni Aged About 61 Years R/o Plot No. R-C - 5, Ravi Shankar Nagar, Korba, Distt. Korba (Chhattisgarh)., District : Korba, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Power And Energy, Mantraya, Mahanadi Bhawan, Atal Nagar, Raipur, Distt. Raipur (Chhattisgarh), District : Raipur, Chhattisgarh
2. Chhattisgarh State Power Generation Company Limited (Cspgcl), Through Managing Director, (Gen.) Sakti Bhawan, Daganiya, Raipur, Distt. Raipur (Chhattisgarh), District : Raipur, Chhattisgarh
3. Chhattisgarh State Power Generation Company Limited (Cspgcl), Through General Manager / Ed (Finance), Sakti Bhawan, Daganiya, Raipur, Distt. Raipur (Chhattisgarh)
4. Chhattisgarh State Power Generation Company Limited (Cspgcl), Through General Manager (Hr), Sakti Bhawan, Daganiya, Raipur, Distt. Raipur (Chhattisgarh)
5. Suman Yadav Deputy General Manager (Dgm), Posted At Madwa Project, District Janjgir-Champa (Chhattisgarh)

---- Respondents

For Petitioner	:	Shri Rajesh Roshan Singh, Advocate
For State/Respondents	:	Ms. Abhyunati Singh, P.L.

Single Bench: Hon'ble Shri Sanjay S. Agrawal, J
Order On Board

22.11.2021

1. By way of this petition, the petitioner who is performing his duty as Senior Accounts Officer at O/o ED/CE(Gen.) HTPS, CSPGCL, Korba West, has been transferred in the same capacity vide order dated 08.11.2021(Annexure P1) to Marwa, Janjgir Champa.
2. It is contended by the petitioner that he is going to be retired on 31.08.2022, therefore, only 9 months period is left, yet the concerned respondent authorities have issued the order impugned while transferring the petitioner as such, which is contrary to the order dated 19.9.2018 submitted by way of covering memo dated 17.11.2021. However, on perusal of the entire petition would show

that the petitioner has not stated anywhere that the order impugned has been passed with malafide intention or the same has been passed by the authority who is not competent to pass such an order. That apart, it is stated by the petitioner at para 8.8 that his wife is physically not well and for her supervision, the order impugned is required to be stayed, so that, he could look after her properly. The said fact is, however, not found in his representation made on 09.11.2021 (Annexure P5) which was filed just before filing of this petition. The contention of the Petitioner thus appears to be contradictory in nature in order to get the order impugned stayed by somehow or the other. It is the settled principles of law that the petitioner who has approached this Court seeking for the discretionary relief should have approached with clean hands.

3. In view of the above, I am not inclined to entertain this petition. The petition is accordingly dismissed at the admission stage itself.

Sd/-

(Sanjay S. Agrawal)
JUDGE