



NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No.3756 of 2023**

- Jitendra Dehari S/o Shri Bharat Lal Dehari Aged About 33 Years (Junior Engineer), Distribution Center, Durgkondal Subordinate (O & M) Division, Bhanupratapur, District : Kanker, Chhattisgarh
---- **Petitioner**

Versus

1. Chhattisgarh State Power Distribution Company Limited Through The Executive Director (J.R.), District : Bastar(Jagdalpur), Chhattisgarh
2. Narottam Singh Rathiya (Junior Engineer) C.S.P.D.C.L., Districbution Center, Pakhanjur Subordinate (O And M) Division, Pakhanjur, District : Kanker, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Ritesh Verma, Advocate
For Respondent No.1	:	Mr. Anumeh Shrivastava, Advocate

Hon'ble Shri Justice Parth Prateem Sahu**Order On Board****21/6/2023**

1. Challenge in this writ petition is to the order dated 15.5.2023 by which petitioner, who is working as Junior Engineer and posted at Distribution Centre Durgkondul, Division Bhanupratapur, is transferred to Distribution Centre, Pakhanjur, Division Pakhanjur.
2. Learned counsel for petitioner would submit that vide order dated 7.7.2022 petitioner was transferred and posted at his present place of posting, but he was relieved only on 14.2.2023 to join at the transferred place i.e. Distribution Centre Durgkondul, Division Bhanupratapur. Within a span of three months from joining at



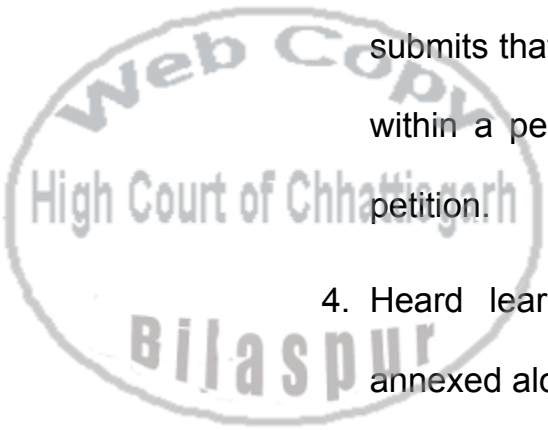
transferred place, by the order impugned petitioner has again been transferred to Distribution Centre, Pakhanjur, Division Pakhanjur. Petitioner is transferred only to accommodate respondent No.2 and therefore, impugned order passed by respondent No.1 is clearly arbitrary and capricious exercise of executive power.

3. On the other hand, learned counsel for respondent No.1 opposing submissions of learned counsel for petitioner, would submit that transfer of petitioner is on administrative ground and therefore, transfer order does not call for any interference. He submits that except submission that petitioner is transferred twice within a period of one year, no legal ground is pleaded in writ petition.

4. Heard learned counsel for parties and perused documents annexed along with writ petition.

5. Perusal of documents placed on record would show that petitioner was transferred in the month of July, 2022 but he was relieved only on 14.2.2023 and since then he is working at his present place of posting i.e. Distribution Centre Durgkondul, Division Bhanupratapur. Within three months from the date of joining at Durgkondul, petitioner is again transferred by way of impugned order against which petitioner has not made any representation before any authority.

6. In view of above, this writ petition stands disposed of permitting





petitioner to submit representation before respondent No.1 raising all grounds as raised in this writ petition. If such a representation is submitted by petitioner, respondent No.1 will consider and decide the same expeditiously, preferably within an outer limit of four weeks from the date of receipt of representation, taking note of previous transfer and joining of petitioner at Distribution Centre Durgkundul, Division Bhanupratapur.

7. Certified copy as per rules.

Sd/-
(Parth Prateem Sahu)
Judge

