



IN THE HIGH COURT OF JUDICATURE AT BILASPUR

W.P.No. 691 /2001

3

P E T I T I O N E R

D.K.Dixit

S/o Late Shri P.L.Dixit,
aged about 55 years,
Occupation- Service,
Presently posted as
Divisional Engineer
Under General Manager
Telecom District Bilaspur
R/o 35 Palash, Raj Kishore
Nagar, Bilaspur.

- Versus -

R E S P O N D E N T S

1. Chief General Manager,
Bharat Sanchar Nigam Ltd.
(A Govt. of India Enterprises)
Telecom, M.P.Circle Bhopal,
Bhopal (M.P.).
2. Assistant General Manager
(Administration)
Bharat Sanchar Nigam Ltd.
M.P.Circle, Bhopal,
Bhopal (M.P.).
3. General Manager,
Telecom District Bilaspur
Bharat Sanchar Nigam Ltd.
Bilaspur (C'garh).
4. Divisional Engineer
(Administration)
T.D.M. Sagar (M.P.).
5. Shri S.Minj,
Divisional Engineer
Office of the G.M.T.D.
Bilaspur (C'garh).



आदेश पत्रक

W.P.No.691/2001.
मामला क्रमांक सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
<u>28.5.2001.</u>	<p>Shri Anil Rajput, learned counsel for petitioner.</p> <p>Shri A.S.Gaharwar, learned counsel for respondents.</p> <p>Heard.</p> <p>The matter concerns transfer of writ petitioner from Sagar to Bilaspur under the General Manager, Telecom District, Bilaspur. It is stated that on arrival at Bilaspur, the General Manager directed the petitioner to proceed to Champa which is also within his jurisdiction i.e. Bilaspur Telecom District. Champa is within a distance of about 50kms. It is the submission of Shri A.S.Gaharwar that such local arrangement is possible and power to make such arrangement is vested in the General Manager. It is a Class-I post, under Group-A. It is submitted by Shri A.S.Gaharwar that in Service exigency such arrangement is to be made by the concerned General Manager. It is the case of the respondents that in fact the writ petitioner requested that in view of some domestic problems he might be transferred from Sagar to Bilaspur, so that he would be able to look after his old mother. Accordingly the petitioner was brought to Bilaspur. However, it is submitted that petitioner cannot claim that physically he should be</p>	

[पीछे देखिये]

आदेश पत्रक (पुर्नानुबद्ध)

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	<p>-2-</p> <p>posted only in the town of Bilaspur; inasmuch as Champa is for all practical purposes, is not different from Bilaspur as it comes within the purview of jurisdiction of General Manager, Telecom District Bilaspur.</p> <p>It appears that for all the practical purposes since the petitioner has been brought from Sagar which is about more than 500 kms to Bilaspur, the petitioner in my view would not have a reasonable ground to resist that he should be posted only in Bilaspur and not in neighbourhood of Bilaspur; inasmuch as Champa comes within the Telecom District of Bilaspur. The distance is also negligible . In my view, the local arrangements made by the General Manager should be accepted by the petitioner in the interest of the service .</p> <p>Shri Anil Rajput prays for time to enable his Senior Shri Rajeev Shrivastava to appear and make his submissions.</p> <p>I have given thought to his prayer. On perusal of relevant documents and in the nature of the arrangements made by the General Manager in the exigency of service, I am of the view that the Court need not interfere with this arrangement which to me appears to be reasonable .</p> <p>In the result, the petition is dismissed. The interim order passed on 27.4.2001 is vacated.</p> <p>Subbu. C.C. today.</p>	<p>Sd/- Chief Justice</p>

25/28/5