

Hed ✓ 6 (1)

IN THE HON'BLE HIGH COURT OF CHHATTISGARH AT

BILASPUR (C.G.)

WRIT PETITION (S.) NO. 2537/2010 SINGLE BENCH

PETITIONER

Angad Ram Chouhan, aged about 54 years, Son of Ram Surat Chouhan, at present working as a Assistant Engineer (Towns), Maintenance, Rajnandgaon (C.G.).

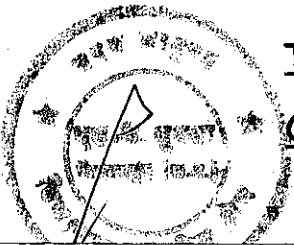
P.B. No. 2761/2010
Presented by Shri. Manoj Kumar
dated 28/5/2010

VERSUS

RESPONDENTS

1. ✓ Chairman, Chhattisgarh Power Trading Company Limited, Daganiya, Raipur, District Raipur (C.G.),
2. ✓ Chhattisgarh State Power Generation Company Limited, Daganiya, Raipur, Distt.- Raipur(C.G.),
3. ✓ Chattisgarh State Power Transmission Company Limited, Daganiya, Raipur, District Raipur(C.G.)
4. ✓ Chattisgarh State Power Distribution Company Limited, Daganiya, Raipur, District Raipur (C.G.)

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF APPROPRIATE WRIT OR MANDAMUS/CERTIORARI, ORDER/ORDERS, DIRECTION/DIRECTIONS ETC.





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HIGH COURT OF CHHATTISGARH AT BILASPUR

S.B: Hon'ble Shri Prashant Kumar Mishra

Writ Petition (S) No. 2537/2010

PETITIONER : Angad Ram Chouhan

Versus

RESPONDENTS : Chairman, Chhattisgarh Power Trading
Company Limited and others

Appearance:

Shri Vishnu Koshta, counsel for the petitioner.

ORAL ORDER
(26.05.2010)

Heard on admission.

2. Learned counsel for the petitioner submits that by the impugned order he has been transferred from Chhattisgarh State Power Distribution Company Ltd. to Chhattisgarh Power Transmission Company Ltd., whereas after formation of separate companies for distribution and transmission, an employee serving in one company cannot be transferred to another company.
3. On perusal of the order (Annexure P-4) it does not appear that the petitioner has been transferred to another company, however the petitioner has stated on affidavit and learned counsel makes statement at bar that the transferred posting belongs to Transmission Company.
4. Be that as it may, the transfer of an employee is an incidence of service and ordinarily it is not open to judicial review unless there is a violation of statutory provisions.
5. In view of the statement made by the counsel for the petitioner that the transfer is contrary to the scheme, it is directed that if the petitioner makes a fresh representation before the Transferring

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Authority the same shall be decided within a period of three weeks from the date of receipt of representation.

6. Accordingly I.A. No. 2 application for urgent hearing and I.A. No. 3 application for hearing during summer vacation stand disposed of.

7. The writ petition stands disposed of in above stated terms.

Certified copy as per rules.

Sd/-
Prashant Kumar Mishra
Judge

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