



2026:CGHC:13546
NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 1334 of 2022

- Ashok Kumar Singh S/o Ramadhar Singh, Aged About 52 Years
R/o Nagar Panchayat Lakhanpur, District Surguja (Chhattisgarh),
District : Surguja (Ambikapur), Chhattisgarh

... **Petitioner(s)**

versus

1. State Of Chhattisgarh Through Secretary, Urban Administration
And Development, Mahanadi Bhawan, Atal Nagar, Nawa Raipur,
District Raipur (Chhattisgarh), District : Raipur, Chhattisgarh
2. Director Urban Administration And Development, Directorate,
Indirawati Bhawan Nava Raipur, Atal Nagar, District Raipur
Chhattisgarh, District : Raipur, Chhattisgarh
3. Municipal Corporation, Chirmiri, Korea Through Its Commissioner,
Municipal Corporation, Chirmiri, Korea, District Korea
Chhattisgarh, District : Koriya (Baikunthpur), Chhattisgarh
4. Chief Municipal Officer, Nagar Panchayat Lakhanpur, District
Surguja Chhattisgarh, District : Surguja (Ambikapur), Chhattisgarh
5. Prem Dubey Sub Engineer Nagar Panchayat Jarhi, District
Surajpur Chhattisgarh, District : Surajpur, Chhattisgarh

... **Respondent(s)**

For Petitioner	:	Mr. Arpan Verma, Advocate on behalf of Mr. Anurag Singh, Advocate
For State	:	Mr. Anil Pandey, G.A.

Hon'ble Shri Justice Rakesh Mohan Pandey

Order On Board

20.3.2026

1) By way of this petition, petitioner has sought following reliefs:-

1] That, this Hon'ble Court may kindly be pleased to issue writ/writs, order/orders, direction/directions quashing the impugned order dated 21.02.2021 so far as it relates to transfer of the petitioner and private respondent is concerned, ANNEXURE P/1 and petitioner may kindly be allowed to continue at Nagar Panchayat Lakhanpur or the respondents may kindly be directed to consider the case of the petitioner for his transfer to his parent department i.e. Municipal Corporation Chirmiri, District Korea (C.G.)

2] That, this Hon'ble Court may kindly be pleased to grant any other relief(s), which is deemed fit and proper in the aforesaid facts and circumstances of the case.

2) Facts of present case are that petitioner who is holding the post of Sub-Engineer under Municipal Corporation, Chirmiri has been subjected to transfer from Nagar Panchayat, Lakhanpur, District- Surguja to Nagar Panchayat, Kasdol, District- Balodabazar Bhatapara vide order impugned dated 21.2.2022 (Annexure P/1). Earlier, services of petitioner were transferred from Municipal Corporation, Chirmiri to Nagar Panchayat, Lakhanpur vide order dated 28.7.2017. Vide order dated 25.2.2022, this Court granted interim protection in favor of petitioner.

3) Learned counsel for the petitioner submits that petitioner has been transferred from Nagar Panchayat, Lakhanpur, District- Surguja to Nagar Panchayat, Kasdol vide order dated 21.2.2022 which is in violation of the provisions contained in Section 58 (5) and (6) of

the Chhattisgarh Municipal Corporation Act, 1956 [hereinafter to be referred as 'Act of 1956']. He further submits that petitioner has been subjected to transfer twice and interim protection has been granted by this Court vide order dated 25.2.2022, by virtue of which petitioner is still discharging his duties at Nagar Panchayat, Lakhanpur. He prays to quash the impugned order.

- 4) On the other hand, learned State counsel submits that earlier petitioner was transferred from Municipal Corporation, Chirmiri to Nagar Panchayat, Lakhanpur and no objection was raised by the petitioner. He further submits that petitioner accepted that transfer order and when he was transferred to Nagar Panchayat, Kasdol, he has filed this petition taking shelter of Section 58 (5) and (6) of the Act of 1956. He contends that this petition deserves to be dismissed.
- 5) I have heard learned counsel for the parties and perused the material available on record.
- 6) It is true that no objection was raised by petitioner when his services were transferred from Municipal Corporation, Chirmiri to Nagar Panchayat, Lakhanpur. Subsequently, Secretary, Urban Administration And Development, State of Chhattisgarh vide order dated 21.2.2022, transferred the petitioner from Nagar Panchayat, Lakhanpur to Nagar Panchayat, Kasdol and at that time, petitioner filed this petition on the ground that decision taken by the State Government is in contravention to the provisions of Section 58 (5)

and (6) of the Act of 1956.

- 7) It is worthwhile to note that petitioner has enjoyed the stay order for period of more than three years. Further, there is no document to infer that the petitioner raised objection when his services were transferred from Municipal Corporation, Chirmiri to Nagar Panchayat, Lakhanpur. In my opinion, when no objection was raised against initial transfer order, the objection raised against the subsequent transfer order cannot be entertained.
- 8) Taking into consideration the above-discussed facts, no case is made out for interference. Consequently, this petition fails and is hereby **dismissed**. Interim order dated 25.2.2022 stands vacated.

Sd/-
(Rakesh Mohan Pandey)
JUDGE

Ajinkya