

Amar Singh Vs. the State of Madhya Pradesh

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Court : Madhya Pradesh

Decided On : Oct-31-2012

Appellant : Amar Singh

Respondent : The State of Madhya Pradesh

Advocate for Pet/Ap. : Shri. V.P.Singh

Judgement :

Amar Singh versus State of M.P.& ORS.Writ Petition No.18159

31. 10.2012 Shri V.P.Singh, learned counsel for the petitioner.

Shri S.S.Bisen, learned Government Advocate for the State.

Petitioner is working as Panchayat Secretary and has been transferred from one Gram Panchayat to another in the same district Rewa under the same Janpad Panchayat Teonthar.

Challenging the said transfer order petitioner earlier approached this Court in W.P.No.11763/2012 and on 8.8.2012 a Bench of this Court found that on the ground of personal inconvenience of petitioner interference into the matter is not called for.

However, disposed of the writ petition directing the competent authority to consider and decide the representation of petitioner.

In the earlier writ petition findings recorded by this Court was that the impugned order of transfer is not passed in violation of any statutory provision not the same suffers from vice of malafide.

not the representation of petitioner is rejected, therefore, petitioner is again before this Court.

As already indicated hereinabove transfer in question is not challenged on the ground of any statutory provisions being violated or malafide made out, transfer is only challenged on the ground of personal inconvenience of petitioner due to his ailment, these factors have been considered by the competent authority and representation 2 has been rejected.

Once the representation is rejected by the competent administrative authority, this Court in a case of transfer will not sit over the same as if it is exercising further appellate jurisdiction.

Accordingly, without interfering on the grounds raised the petition is disposed of.

(Rajendra Menon) Judge ss*

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