

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 6134 of 2014**

Jitendra Chandrakar S/o Shri Bholaram Chandrakar Aged About 40 Years
R/o Ward No. 63, Behind Govt Primary School, Risali, Bhilai, Ps Nevai,
Dist Durg, Cg

---- **Petitioner**

Versus

1. State Of Chhattisgarh through Secretary, Department Of Home, Mantralaya, Mahanadi Bhawan, Naya Raipur, Dist Raipur, Cg
2. Director General Of Police Chhattisgarh Police Head Quarter, Naya Raipur, Dist Raipur, Cg
3. State Police Establishment Board through Its Chairman, Police Head Quarter, Naya Raipur, Dist Raipur, Cg

---- **Respondents**

For Petitioner:	Shri Jitendra Pali, Advocate.
For Respondents/State:	Shri B. Gopa Kumar, Dy. Advocate General.

Single Bench: **Hon'ble Shri P. Sam Koshy, J**
Order On Board

18.09.2015

Counsel for the Petitioner submits that the grievance of the Petitioner is that on 17.1.2014, he was transferred from District Bijapur to District Durg. However, before the Petitioner could be relieved, the said order was cancelled vide order dated 24.6.2014. Against the said cancellation of transfer, he had preferred the Writ Petition i.e. W.P.(S) No.3015/2014, which got disposed of on 3.7.2014 with an only relief of making a representation to the State Government against the cancellation of transfer.

2. According to Counsel for the Petitioner, he had made a representation to the State Government which ultimately vide Annexure P-1, has been rejected.

3. The grievance of the Petitioner is that right from the time of his appointment in the year 1998, he continued to be posted at District Dantewada and thereafter on the creation of a new District at Bijapur, he has been posted there and he intends to be transferred somewhere nearby District Durg where

his parents are residing and who require constant medical attention as they are not keeping good health. Counsel for the Petitioner submits that the police Department already has a transfer policy wherein, it has been envisaged that in the event of a police officer working at a particular place of posting for a period of more than 5 years, he can approach the higher authorities seeking for a place of posting of his choice or to a different place. He prays that the Petitioner may be permitted to make a representation to the higher authorities in the police Department with a request to consider his representation for transfer to a place closer to his home town so that he could attend his ailing parents particularly in the light of the fact that for the last about 17 years, he has been working at one particular place.

4. Counsel for the State does not have any objection in deciding the representation if the Petitioner so makes.

5. Considering the entire facts and circumstances of the case, this Court is of the opinion that in the event the Petitioner makes a fresh representation seeking for a transfer, the authorities concerned may consider his representation in accordance with the rules and policies framed by the police Department pertaining to the transfer. It is expected that the authorities shall take prompt and expeditious decision in case the representation is so made.

6. With the aforesaid observation, the instant Writ Petition stands disposed of.

Sd/-
(P. Sam Koshy)
JUDGE