

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3419 of 2015

P. L. Tarak S/o Late Sarju Tarak Aged About 60 Years Presently Posted As Sub Divisional Officer, Water Resources, Construction Sub Division, Baloda Bazar, District Baloda Bazar Bhatapara Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Water Resources Department, Mahandi Bhawan, Mantralaya, Naya Raipur, Thana Mandir Hasod, District Raipur Chhattisgarh
2. Executive Engineer, Water Resources, Construction Sub - Division, Baloda Bazar, District Baloda Bazar Bhatapara Chhattisgarh
3. State Of Chhattisgarh, Through The Secretary, General Administration Department, Government Of Chhattisgarh, Mahandi Bhawan, Mantralaya, Naya Raipur, Thana Mandir Hasod, District Raipur Chhattisgarh

---- Respondents

For Petitioner	:	Shri Abhishek Sinha, Advocate.
For Respondent/State	:	Shri Shashank Thakur, Government Advocate on advance copy.

Order On Board

21/09/2015

Heard.

1. The challenge to the transfer order is made mainly on the ground that it is in violation of the provision contained in clause 2.3 of transfer policy requiring coordination with the Chief Minister.
2. Learned counsel for the petitioner submits that the petitioner has been transferred in violation of procedure of coordination prescribed under the policy and the petitioner has been transferred within a short period of 1½ years.
3. On the other hand, learned counsel for the State disputes all the contentions made by learned counsel for the petitioner and submits that there is a provision to consider to file representation and if the petitioner approaches the competent authority with representation, the

same shall be considered and decided in accordance with law.

4. Considering the submission, the petition is disposed off with a direction that if the petitioner files representation within a period of ten days from today, the same shall be decided by the Secretary within a period of three weeks. For a period of five weeks, the impugned order in relation to petitioner shall not be given effect to.

Sd/-

Manindra Mohan Shrivastava

J U D G E