

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR
Writ Petition (S) No. 3564 of 2016

Santosh Pandey S/o B.P. Pandey, Aged About 45 Years Occupation Stenographer Grade II, Posted At Office Of Collector, Korea, District Korea, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Revenue And Disaster Management Department, Mantralaya, Mahanadi Bhawan, Naya Raipur, Distt. Raipur, (Chhattisgarh)
2. Additional Secretary, Revenue And Disaster Management Department, Mantralaya, Mahanadi Bhawan, Naya Raipur, Distt. Raipur, (Chhattisgarh)
3. Collector, Korea, Distt. Korea, (Chhattisgarh)
4. Collector, Balrampur, Distt. Balrampur- Ramanujganj, (Chhattisgarh)

---- Respondents

For Petitioner	:	Mr. Awadh Tripathi, Advocate
For Respondent-State	:	Mr. Dheeraj Wankhede, Govt. Advocate, on advance copy

Hon'ble Shri Manindra Mohan Shrivastava, J.

Order on Board

10/08/2016

Heard on admission.

1. The transfer order is under challenge on the ground that petitioner has been transferred from the office of Collector, Korea to the office of Collector, Balrampur where no post of Stenographer Grade-II is sanctioned but higher post of stenographer Grade-I is sanctioned. The petitioner has also raised a ground that he has remained posted in the scheduled area for last 14 years and as per Government policy, he should be considered for transfer outside the scheduled area. The petitioner has also raised a ground that his daughter is studying in 10th standard at Central School and there is no Central School at Balrampur where he has been transferred.

2. The petitioner has immediately filed a representation through the office of Collector, Korea. The Collector, Korea has recommended for consideration of representation of the petitioner on the ground that upon his transfer, the office of Collector, Korea will be left with no stenographer, petitioner's daughter is studying in Class-10th at Central School and he is posted in scheduled area for last 14 years.

3. The petitioner, upon his transfer, entitled to an appropriate post of equivalent rank or higher rank where he can join and his salary could be drawn. It is required to be considered that at the place, where he is transferred, there is vacant post of equivalent rank or higher rank is available, to which, the petitioner could join. The other ground that the Collector, Korea will be left with no stenographer, is not available to the petitioner. It is a matter of consideration of State Government on administrative side on the basis of letter dated 22/07/2016 of the Collector, Korea.

4. In view of the above, I am not inclined to keep the matter pending. It is found that the Collector, Korea has already sent a recommendation to the State Government, let it be considered and decided within a period of four weeks from today.

5. For a period of four weeks, if no person has been posted in the place of petitioner, no coercive steps shall be taken against the petitioner.

6. With the aforesaid observation, the petition stands finally disposed off.

Sd/-

(Manindra Mohan Shrivastava)
Judge