

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3532 of 2016

Smt. Jaba Lahiry (Wrongly Mentioned As Lahidi), W/o J.N.Lahiry, Aged About 61 Years, Post Assistant Grade I I, Posted At Office Of Sub Divisional Officer, Water Resources, Sub Division, Rajpur, District Balrampur, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Water Resources Department, Office Situated At Mahanadi Bhavan, Naya Raipur, District Raipur, Chhattisgarh
2. Deputy Secretary, State Of Chhattisgarh, Water Resources Department, Office Situated At Mahanadi Bhavan, Naya Raipur, District Raipur, Chhattisgarh

---- Respondents

For Petitioner	:	Shri P.K. Dhurandhar, Advocate
For State	:	Shri D.R. Minj, Dy.Govt. Advocate

S.B.:Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

09/08/2016

Heard on admission.

1. The transfer order is under challenge on the sole ground that the petitioner is going to retire within a period of 8 months.
2. Submission of learned counsel for the petitioner is that according to Govt. policy where the Govt. servant is to retire within a period of one year, he has to be either posted in his home district or to any other place of his option.
3. Considering the aforesaid submission, the petitioner's case requires consideration because there is a policy to post the Govt. servant retiring within one year, to his home district or a place of his option.
4. It is, however, found that the petitioner has not filed any representation and filed this petition. Therefore, it is directed that in case the petitioner prefers representation within a period of 10 days from today, the transferring

authority/committee of the transferring authority shall consider and decide representation within a further period of 4 weeks.

5. For a period of 4 weeks, coercive steps shall not be taken against the petitioner on account of non-joining at the present place of posting.
6. With the aforesaid observation/direction, the petition is finally disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Praveen