

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3479 of 2016

M. D. Bohidar S/o Late Shri Yadumani Bohidar, Aged About 61 Years Posted As Sub Auditor Panchayat Office Of Deputy Director Panchayat And Rural Development Raigarh, District Raigarh Chhattisgarh Presently Posted As In Charge Senior Accounts And Taxation Officer, Janpad Panchayat Raigarh Raigarh District Raigarh Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Panchayat And Rural Development Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur Chhattisgarh
2. Director, Directorate Of Panchayat, 2nd Floor, Indravati Bhawan, Naya Raipur, District Raipur, Chhattisgarh
3. Janpad Panchayat, Raigarh, Through The Chief Executive Officer, Janpad Panchayat Raigarh, District Raigarh, Chhattisgarh
4. Shri Ramesh Kumar Patel Presently Posted As Sub Auditor, Office Of Deputy Director, Panchayat Office Jashpur, Jashpur, Distirct Jashpur Chhattisgarh

---- Respondents

For Petitioner	-	Shri Amrito Das, counsel.
For Respondents 1 and 2/State	-	Shri D.R.Minj, Dy.G.A. on advance copy.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

08/08/2016

The petitioner has challenged the transfer order on the ground that even though only seven months are left for his retirement, the petitioner is being transferred. It is submitted that according to policy dated 11/06/2016, those Government servants, who are going to retire within one year are entitled to be transferred either in his home district or to a place of his option.

2. The other grounds of challenge in this petition is that the petitioner substantively holds the post of Sub-Auditor, Panchayat but the designation of the petitioner mentioned in the transfer order is of a post which is higher than

the post which the petitioner substantively holds.

3. Considering the aforesaid submission, the case of the petitioner requires consideration. However, it is found that the petitioner has rushed to this Court without filing any representation. Therefore, in these circumstances, it is directed that in case, petitioner prefers representation within a period of 10 days from today, the same shall be considered and decided by the authorities within a period of four weeks, in accordance with the policy applicable to those, who are going to retire within a period of less than one year. The authorities shall also examine the status aspect considering the submission that the petitioner substantively holds the post of Sub-Auditor, Panchayat. This mention shall not come in the way of preparation of petitioner's pension case.

4. With the aforesaid observations, this petition is finally disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge