

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 4219 of 2016

Sohan Das Sahu S/o Shri Tehar Das Sahu, Aged About 47 Years R/o Jal Tarang Parishar (P.H.E. Colony) Qr. No I 2, Rajnandgaon, Tahsil And District Rajnandgaon Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Public Health Engineering, Mahandi Bhavan, Ministry New Raipur, District Raipur Chhattisgarh
2. The Executive Engineer, Department Of Public Health Engineering P.H.E. Division Rajnandgaon District Rajnandgaon Chhattisgarh
3. The Executive Engineer, Department Of Public Health Engineering, P.H.E. Division Kanker, District Kanker Chhattisgarh

---- Respondents

Shri Alok Kumar Dewangan, counsel for the petitioner/s.
Shri D.R.Minj, Dy.G.A. for the State.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

15/12/2016

Additional reply of the State shows that earlier, circular dated 11/10/1990 is still in force and is not superseded by any subsequent Government order.

It appears that the petitioner, who is a Class III employee, is being transferred outside the circle against Government's own policy, not to transfer Government employee outside the circle. Therefore, in view of the aforesaid disclosure of the policy under circular dated 11/10/1990, the transfer order passed by the respondent requires re-consideration.

Let the transferring authority re-examine the whole matter in the light of its own policy and take appropriate decision in the matter of petitioner's transfer. The impugned order shall not be given effect to and suitable order, in accordance

with the policy shall be passed.

The petition is accordingly finally disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Deepti