

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****WPS No. 4367 of 2016**

- Narsingh Kashyap S/o Jaidev Kashyap, Aged About 49 Years Presently Posted As Assistant Grade- III, New Govt. College, Tokapal, Distt Bastar; R/o Village Kulgaon, Tahsil Jagdalpur, Distt. Bastar, (Chhattisgarh)

---- Petitioner**Versus**

- State Of Chhattisgarh Through The Secretary, Higher Education Department, Mantralaya, Mahanadi Bhawan, Naya Raipur, Distt. Raipur, (Chhattisgarh)
- The Commissioner, Directorate Higher Education, Indravati Bhawan, Raipur, (Chhattisgarh)
- Collector, Jagdalpur, District Bastar, (Chhattisgarh)
- Naresh Yadav, Presently Posted As Assistant Grade- III At New Govt. College, Konta, Distt. Bijapur, (Chhattisgarh)

---- Respondents

For Petitioner	:	Ms. K. Tripti Rao, Advocate
For State	:	Mr. Dhiraj Wankhede, Government Advocate

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****07/09/2016**

Heard.

1. The transfer order has been challenged on the ground that even though the petitioner has remained posted in core scheduled area and scheduled area for the last 28 years, even when occasion arises, the petitioner is now again being transferred to core scheduled area. It is submitted that according to circular dated 03.06.2015, it has been stated that in clause 1.3 that those Government employees, who have been remained posted in scheduled area for a long time, should be considered for posting outside the scheduled area.
2. It appears that very long period of service has been rendered by the petitioner in the scheduled area, therefore, his case is required

to be considered for posting outside the scheduled area as per circular dated 03.06.2015.

3. The petitioner has submitted representation to the Director, Higher Education. However, considering that the transfer order has been issued by the State Government, it is directed that if the petitioner prefers representation before respondent No.1 within a period of 10 days from today, the same shall be considered and decided within a period of four weeks in accordance with the Government transfer policy in respect of posting in scheduled area contained in circular dated 03.06.2015. For the next four weeks, no coercive steps shall be taken against the petitioner to compel him to proceed on transfer.
4. The petition is accordingly disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge