

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 4483 of 2016

N. S. Deshmukh S/o Shri Baraturam Deshmukh Aged About 54 Years Fisheries Inspector, Block - Dondi, Posted In The Office Of Assistant Director, Fisheries Balod, Distt. Balod, Civil And Rev. Distt. Balod Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Agriculture (Fisheries) Department, Mahanadi Bhavan, Mantralay, New Raipur Chhattisgarh.
2. Director, Fisheries, Chhattisgarh Indrawati Bhavan, 4th Floor, New Raipur Chhattisgarh.
3. Assistant Director, Fisheries Balod District Balod Chhattisgarh.

---- Respondents

Shri M.K.Sinha, counsel for the petitioner/s.
Shri Gary Mukhopadhyaya, Dy.G.A. for the State on advance copy.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

19/09/2016

Heard.

The transfer order is under challenge on the ground that though the petitioner is willing to continue at Block – Dondi which is a scheduled area, the petitioner is being transferred from Block - Dondi to Block- Khairagarh, District – Rajnandgaon, which is a non-scheduled area.

2. Learned counsel for the petitioner submits that as per Clause 2.2 of the transfer policy, a Government servant, who is willing to continue in scheduled area, has to be continued unless there is a decision taken to transfer him on complaints on administrative grounds.

3. Considering the aforesaid submission, proper course of action would be to direct respondents to consider petitioner's representation in the light of the aforesaid policy. The respondents may consider petitioner's representation within a period of four weeks.

For a period of four weeks, if no one has joined at the present place, the petitioner shall be allowed to continue.

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

Sd/-

(Manindra Mohan Shrivastava)

Judge

Deepti