

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 5839 of 2016

Khawaza Khizar Ahmad S/o Late Mohammad Hussain, Aged About 59 Years
Wrongly Mentioned As A. K. Ahmad In Impugned Order, Presently Posted As
Food Inspector, At Korba, District Korba (Chhattisgarh)

---- Petitioner

Versus

1. The State Of Chhattisgarh Through : Secretary, Food And Civil Supplies And Consumer Protection Department, Mahanadi Bhawan, Mantralaya, New Raipur, District Raipur (Chhattisgarh)
2. Under Secretary, Food And Civil Supplies And Consumer Protection Department, Mahanadi Bhawan, Mantralaya, New Raipur, District Raipur (Chhattisgarh)
3. Collector, Korba, District Korba, Chhattisgarh.

---- Respondents

Shri Syed Majid Ali, 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

24/10/2016

The transfer order is under challenge on the ground that though the petitioner has served continuously in the scheduled area since 2006, he has again been transferred to scheduled area in violation of policy dated 03/06/2015, which requires that in case, an employee remained posted in the scheduled area, he will be considered for being transferred to a non-scheduled area.

2. In view of the provisions contained in Clause 2.1 of policy dated 03/06/2015, the petitioner ought to be considered for transfer according to the said policy.

It is found that the petitioner is posted at Korba, which is listed as one of the scheduled area in Schedule – II of policy dated 03/06/2015. Therefore, in these circumstances, the petitioner's case requires consideration by the respondents whether the petitioner could be sent to any other non-scheduled area in the State because the petitioner has already completed his normal tenure

of posting in District – Korba.

3. The representation has been belatedly submitted by the petitioner, however, considering the aforesaid grounds, the respondents may consider and decide the representation within a period of four weeks.

4. The petition is accordingly finally disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Deepti