

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 6336 of 2016

Thansingh Raghuvanshi S/o Mayaram Raghuvanshi, Aged About 54 Years R/o Village Antagarh, Tahsil Antagarh Distt. U. B. Kanker (Chhattisgarh).

---- Petitioner

Versus

1. The State Of Chhattisgarh Through Its Secretary, Panchayat And Rural Department Mantralaya, Mahanadi Bhawan, Naya Raipur, Distt. Raipur, (Chhattisgarh).
2. Director Panchayat And Rural Department Mantralaya, Mahanadi Bhawan, Naya Raipur, Distt. Raipur, (Chhattisgarh).

---- Respondents

For Petitioner	:	Shri Parag Kotecha, Advocate
For State	:	Shri Chandresh Shrivastava, Panel Lawyer

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

22/11/2016

Heard on admission.

1. This petition has been filed by the petitioner assailing correctness and validity of transfer order dated 26.7.2016 followed by the petitioner's relieving vide order dated 24.10.2016.
2. Learned counsel for the petitioner submits that the petitioner, aggrieved by the transfer order, has already made a representation to the Govt. on various grounds including personal grounds. He also submits that the representation was not decided and now he has been relieved. According to the petitioner where the employee has remained posted for substantially long time in the scheduled area, he is entitled to be considered for transfer outside the scheduled area in accordance with the policy dated 3.6.2015.
3. It is found that the transfer order was issued on 26.7.2016. Though the petitioner had preferred a representation, the same was not decided. The

petitioner also did not take recourse to any remedy before the Court and now when he has been relieved vide order dated 24.10.2016, he has approached this Court. At this stage, I am therefore not inclined to issue any command to the respondents. However, it is directed that the representation of the petitioner, if not already decided, shall be considered and decided within a period of 4 weeks from the date of receipt of copy of this order.

4. If the representation of the petitioner has already been decided, the same shall be communicated through the Chief Executive Officer of Janpad Panchayat, Orchha, District- Narayanpur, where the petitioner has been transferred.
5. The petition is accordingly finally disposed off with the observation and direction as above.

Sd/-
(Manindra Mohan Shrivastava)
Judge