

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 6542 of 2016

- Vidya Sagar Chowdhary S/o Late Shivpal Ram Chowdhary, Aged About 42 Years R/o Nagar Panchayat Jarhi, Police Station Bhatgaon, Block Pratappur, District Surajpur, (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through: Secretary, Urban Administration And Development Department, Mahanadi Bhawan, Mantralaya, Capital Complex, New Raipur, District Raipur, (Chhattisgarh)
2. Director, Urban Administration And Development Department, Directorate, Indrawati Bhawan, Mantralaya, New Raipur, District Raipur, (Chhattisgarh)
3. Nagar Panchayat Jarhi, Through Its Chief Municipal Officer, Nagar Panchayat Jarhi, District Surajpur, (Chhattisgarh)

---- Respondents

For Petitioner : Mr. Manoj Paranjpe, Advocate
For State : Mr. B. Gopa Kumar, Dy. Advocate General

Hon'ble Shri Justice Manindra Mohan Shrivastava
Order On Board

01/12/2016

1. The petitioner has challenged the impugned transfer order on the ground that it has been issued in mid session and has been transferred from Jarhi to Lakhanpur. The petitioner's son is presently studying in class – VI and if he is transferred, he may suffer hardship.
2. Considering that the petitioner is posted at the present place of posting since 2011 and also taking into consideration that present appears to be mid session transfer, the appropriate order would be to direct the respondent-transferring authority to consider whether the petitioner could be adjusted at the present place of posting till the next transfer season. Considering the petitioner's case the distance from Jarhi to Lakhanpur shall also be taken into consideration and whether the petitioner would be able to manage the affairs. It would be done within a period of three weeks. For a period of three weeks, the petitioner shall not be compelled to proceed on transfer.
3. The petition is accordingly finally disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge