

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3152 of 2016

- Krishna Kumar Sughoshmani S/o Late C. R. Sughoshmani, Aged About 53 Years Working As Assistant Grade - II In The Office Of Superintendent Asthi Badhitharth Bal Grih Jagdalpur, District Jagdalpur (Chhattisgarh), R/o Qr. No. F/ 3, Dharampura, Jagdalpur, Civil And Revenue District Jagdalpur (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Social Welfare Department, Mantralaya, Mahanadi Bhawan, Capital Complex, New Raipur, District Raipur (Chhattisgarh)
2. The Additional Secretary, Social Welfare Department, Mantralaya, Mahanadi Bhawan, Capital Complex, New Raipur, District Raipur (Chhattisgarh)
3. The Director, Social Welfare Department, Mantralaya, Mahanadi Bhawan, Capital Complex, New Raipur, District Raipur (Chhattisgarh)
4. The Superintendent, Asthi Badhitharth Bal Grih Jagdalpur, District Jagdalpur (Chhattisgarh)
5. The Collector, Bijapur, District Bijapur (Chhattisgarh)

---- Respondents

For Petitioner	:	Mr. Dharmesh Shrivastava, Advocate
For State	:	Mr. Dhiraj Wankhede, Government Advocate on advance copy.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

05/09/2016

Heard.

1. The transfer order has been challenged on the ground that though the petitioner remained posted in scheduled area since 2007, instead of considering his case for transfer to non-scheduled area, as per clause 2.1 of the Circular dated 03.06.2015, he is again being transferred only within the scheduled area.
2. As per clause 2.1, an officer is required to be considered for transfer to non-schedule area keeping in view the vacancies lying in scheduled area and the period of service rendered by the Government servant in scheduled area.

3. Considering that the petitioner has remained posted in scheduled area for last more than nine years, his case requires consideration under clause 2.1 subject to administrative exigency and other exigencies. If the petitioner prefers representation before the competent authority within a period of two weeks, the same shall be considered and decided in four weeks.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Chandra