

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 6414 of 2016

H.S.Chandraker S/o Late Phool Singh Chandraker, Aged About 57 Years R/o Irrigation Colony, Chhura Nagar Panchayat, Dist. Gariaband, Chhattisgarh State. PIN 493996.

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary Water Resources Department, Govt. Of Chhattisgarh, Secretariat, Mahanadi Bhawan, Naya Raipur, (P O & Dist) Raipur, Raipur Chhattisgarh P I N 493001.
2. Superintending Engineer, Water Resources And Conservation Division, Raipur, Raipur Dist, Chhattisgarh State. P I N 493001.
3. Executive Engineer, Water Resources Department, Gariaband, Gariaband Dist. Chhattisgarh State. P I N 493996.

---- Respondents

Ms. Veena Nair, counsel for the petitioner/s.
Shri B.Gopakumar, Dy.A.G. for the State / respondents on advance copy.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

25/11/2016

The petitioner has challenged transfer order dated 21/07/2016 by which, he has been transferred from Gariaband to Bijapur. The transfer order is under challenge on the ground of violation of policy that those who are aged more than 55 years ordinarily should not be posted in core scheduled area.

2. The grounds alleged in the petition is violation of transfer policy only, but there is no averment of illegality or malafides. The petitioner has approached against transfer order after almost four months of the passing of the order and it is stated that representation has been made which has not been decided till date.

3. In these circumstances and this distance of time, taking into consideration

the grounds on which the transfer order is under challenge, I am not inclined to examine the issue of violation of transfer policy. However, the representation which has been made by the petitioner should have been decided by the respondents. Let it be decided within a period of four weeks from the date of receipt of copy of this order, if not already decided.

4. The petition is accordingly finally disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Deepti