

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 4217 of 2016

Dewalu Ram Margiya (D.R.Margiya) S/o Late Shri Latkhor Ram Margiya, Aged About 52 Years At Present Posted As Tehsildar At Tehil Kartala, Distt. Korba (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Revenue And Disaster Management Department, Mahanadi Bhawan, Naya Mantralaya, New Raipur, Distt. Raipur (Chhattisgarh)
2. Commissioner, Division Bilaspur, Distt. Bilaspur Chhattisgarh.
3. Collector, Korba, Distt. Korba (Chhattisgarh)

---- Respondents

Shri Sanjay Patel, counsel for the petitioner/s.
Shri S.P.Kale, Dy.A.G. for the State / respondents on advance copy.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

31/08/2016

The transfer order is under challenge on the ground that the petitioner is being sent to a place where he has risk of his life in view of the background that earlier, during his posting at Lohandigunda, which is about 20 kms away from the proposed place of transfer, the petitioner was attacked by naxalites and sustained grievous injuries and only for that reason, the petitioner was transferred from that place, but by impugned transfer order, he is being again sent to the same area.

2. This matter requires serious consideration by the transferring authority looking to the background that the petitioner was earlier transferred from the concerned area.

3. The representation shall be moved within a period of two weeks and the State shall consider to transfer the petitioner to some other place in the State, keeping in view the background of incident of attack on him in Lohandigunda area. Let the decision be taken in four weeks from the date of receipt of representation.

Till the transfer order of the petitioner is suitably modified, the petitioner shall be allowed to continue at the present place of posting.

4. With the aforesaid observations, the petition is finally disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge