

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 5096 of 2016

- R. S. Kanwar S/o Late Shri Than Singh Kanwar, Aged About 62 Years Presently Posted And Working As Chief Executive Officer, Janpad Panchayat Pondi Uprora, Distirct Korba Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary Deaprtment Of S.C./S.T. Development, Mahanadi Mantralaya, Naya Raipur, Post Office & Police Naya Raipur, District Raipur Chhattisgarh
2. Under Secretary, Department Of S.C./S.T. Development, Mahanadi Mantralaya, Naya Raipur Post Office & Police Station Naya Raipur, Distirct Raipur Chhattisgarh
3. Collector, Korba, District Korba Chhattisgarh

---- Respondents

For Petitioner : Mr. B.D. Guru, Advocate
For State : Mr. Dhiraj Wankhede, Government Advocate

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

23/09/2016

Heard.

1. The transfer order has been challenged on the ground that the petitioner is going to retire on 31.03.2017.
2. Learned counsel for the petitioner submits that in the transfer policy dated 11.06.2016 it has been provided in clause 2.10 that those Government servants who are going to retire within less than one year shall be considered for being transferred at their home district or at place of their option. It is submitted that the transfer of the petition is in violation of the said policy.
3. In the policy dated 11.06.2016, it has been provided in clause 2.10 that those Government servants who are going to retire within less

than one year shall be considered for being transferred at their home district or at place of their option, therefore, the matter requires consideration by the respondent-transferring authority.

4. In this case, it is found that petition is filed without filing any representation, therefore, in this situation the only direction that can be issued is that if the petitioner submits representation before competent transferring authority within 10 days from today, the same shall be considered and decided preferably within a period of four weeks. For the next five weeks, no coercive steps shall be taken against the petitioner.
5. With the said direction, the petition is disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge