

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 4131 of 2017

Dr. K. K. Rathore S/o Shri Amarnath Rathore, Aged About 44 Years Veterinary Assistant Surgeon, Posted In District Veterinary Hospital Janjgir, District Janjgir Champa, Civil & Revenue District Janjgir Champa, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Live Stock Development Department, Mahanadi Bhavan, Mantralay, New Raipur, Chhattisgarh.
2. Director, Veterinary Services, Chhattisgarh Indrawat Bhavan, 4th Floor, New Raipur, Chhattisgarh.
3. Deputy Director, Veterinary Services, Janjgir Champa, Chhattisgarh.

---- Respondents

For Petitioner	:	Shri M.K. Sinha, Advocate
For State	:	Shri Chandresh Shrivastava, Panel Lawyer

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

29/08/2017

Heard.

1. The transfer order is under challenge on the ground that it violates the transfer guidelines relating to office bearer of representative union of the employee.
2. Learned counsel for the petitioner submits that vide letter dated 25th August 2004, the State Govt. of Chhattisgarh has applied the earlier circular dated 24th June 1996 prevalent in the then State of Madhya Pradesh under which the named office bearers were entitled to relaxation from transfer for a period of 3 years. It is submitted that the petitioner was elected as District President on 13.6.2016 and his total period of posting at the

present place is less than 3 years.

3. Considering the aforesaid submission, I am inclined to protect the petitioner against the transfer in the manner that representation made by the petitioner before the competent authority shall be considered and decided within a period of 4 weeks from the date of receipt of copy of this order keeping in view the directive contained in circular dated 24th June 1996 and 25th August 2004. Till the decision is taken on petitioner's representation, the petitioner shall not be compelled to proceed on transfer under the impugned order.
4. The petition is accordingly disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge