

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No.4002 of 2017

- Salim Ahmad S/o Late Shri A.S. Khan, Aged About 58 Years Presently Posted As Laboratory Technician, Government Vishwanath Yadav Tamaskar College, Durg, District Durg, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Government Of Chhattisgarh, Department Of Higher Education, Mahanadi Bhawan, Mantralaya, Naya Raipur, Chhattisgarh.
2. The Director, Directorate Higher Education, Indrawati Bhawan, Naya Raipur, Chhattisgarh.
3. The Principal, Government Vishwanath Yadav Tamaskar College, Durg, District Durg, Chhattisgarh.
4. Smt. Shanti Kumari Rajwade, Laboratory Technician, Government College, Premnagar, District Surajpur, Chhattisgarh.

---- Respondents

For Petitioner	:	Shri Manish Nigam, Advocate
For Respondent/State	:	Shri Satish Gutpa, GA

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

24/08/2017

Heard.

2. The transfer order is under challenge mainly on the ground that though the petitioner is more than 55 years of age, he is being transferred in core scheduled area, which is violative of Clause 1.5 of the Transfer Policy dated 03-06-2015. It is submitted that as far as possible, employees more than 55 years of age ought not to be posted in the core scheduled area. Other ground is that the petitioner's mother is old aged sick and transfer of the petitioner would adversely affect the family conditions.
3. One of the ground raised in this petition with regard to violation of the

transfer policy in posting of an employee, more than 55 years of age in a core scheduled area. However, other ground is with regard to personal difficulty. The main ground requires consideration.

4. Let representation submitted by the petitioner be decided by the competent authority within a period of six weeks. For a period of six weeks, no coercive steps shall be taken against the petitioner.

5. Accordingly, this petition is finally disposed off.

SD/-
(Manindra Mohan Shrivastava)
Judge