

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**WPS No. 5435 of 2017**

Babulal Karsh S/o Late Shri Anuj Ram Karsh Aged About 54 Years  
Occupation Agriculture Development Officer, Office Of Senior Agriculture  
Officer, Block Mainpur, Police Station Mainpur, District Gariyaband,  
Chhattisgarh.

**---- Petitioner**

**Versus**

1. State Of Chhattisgarh Through Secretary, Department Of Agriculture And Horticulture Development Mantralaya, Mahanadi Bhawan, Naya Raipur, Police Station Abhanpur, District Raipur, Chhattisgarh.
2. Deputy Director, Gariyaband, Office Of Deputy Director, Gariyaband, Police Station Abhanpur, District Raipur, Chhattisgarh.
3. Shri Komal Singh Dhruv Agriculture Development Officer, Office Of Senior Agriculture Development Officer, Block Mungeli, Police Station Mungeli, District Mungeli, Chhattisgarh.

**---- Respondents**

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|----------------|---|---------------------------------|
| For Petitioner | : | Ms. Deepali Pandey, Advocate    |
| For State      | : | Mr. Avinash Singh, Panel Lawyer |

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**Hon'ble Shri Justice Manindra Mohan Shrivastava**

**Order On Board**

**13.10.2017**

Heard.

1. The transfer order dated 14.08.2017 is under challenge on the ground that even though the petitioner is willing to continue in the scheduled area, without there being any complaint against the petitioner, the petitioner is being transferred without considering his case under clause 2.2 of policy dated 03.06.2015.
2. The transfer order was passed on 14.08.2017. The petitioner has not preferred any representation to submit that the petitioner is not willing to move and therefore, he should be considered to continue. Therefore, in these circumstances, this Court is not inclined to entertain this petition. Let

the petitioner first make a representation to the Government regarding his willingness and the petitioner's representation shall be considered in four weeks from the date of submission of representation.

3. If the petitioner has not already been relieved and no one has joined in place of the petitioner, for a period of four weeks, no coercive steps shall be taken against the petitioner to compel him to proceed on transfer.
4. The petition is accordingly disposed off.

**Sd/-**  
**(Manindra Mohan Shrivastava)**  
**Judge**

Rekha