

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3945 of 2017

Mohanlal Chandrakar S/o Late Sharda Prasad Chandrakar, Aged About 59 Years
Assistant Fisheries Officer, O/o Assistant Director (Fisheries) Mahasamund

---- Petitioner

Versus

1. State Of Chhattisgarh Through Its Secretary, Fisheries Department, Mahanadi Bhavan, Naya Raipur, Raipur
2. Assistant Director Fisheries, District Mahasamund Chhattisgarh.
3. Mahendra Kumar Shukla, Assistant Fisheries Officer, O/o Assistant Director Fisheries District Dantewada.

---- Respondents

Shri Raja Sharma, counsel for the petitioner/s.
Shri S.P.Kale, Dy.A.G. for the State / respondents 1 and 2 on advance copy.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

23/08/2017

The challenge to the order dated 14/08/2017 is founded on two grounds. Firstly, it is submitted that within 10 months, the petitioner is being shifted from the present place of posting. The other ground is that the petitioner is more than 55 years of age, therefore, as per policy dated 03/06/2015, as far as posting of employees above 55 years of age, he should not be posted in core scheduled area.

2. It is found that within a short period of 10 months, the petitioner has been transferred and that too in a core scheduled area. Under clause 1.5 of policy dated 03/06/2015, it has been provided that in case of those employees who have completed 55 years of age, as far as possible, they may not be posted in core scheduled area. Moreover, it is a case of frequent transfer within 10 months. This matter requires due consideration.

3. It is found that the petitioner has not preferred representation. Therefore, it is directed that if the petitioner prefers representation within a period of two weeks

from today, the same shall be considered and decided within an outer limit of six weeks. Till appropriate orders are passed in the case of the petitioner, no coercive steps shall taken against the petitioner.

4. The petition is finally disposed off.

Sd/-

(Manindra Mohan Shrivastava)
Judge