

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3952 of 2017

Vishnu Meshram S/o Late Shri Bhukan Ram Meshram, Aged About 57 Years Posted As Sub-Engineer In The Office Of Sub Divisional Officer, Matiyamoti Nallah Canal Sub Division No. 3 Sambalpur, Civil & Revenue District Balod Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through Its Secretary, Water Resources Department, Mantralaya, Capital Complex, Mahanadi Bhawan, New Raipur, Police Station Rakhi, Civil & Revenue District Raipur Chhattisgarh.
2. Engineer In Chief, Water Resources Department, Sinhawa Bhawan Raipur, P. S. Civil Lines, Civil & Revenue District Raipur Chhattisgarh.
3. Joint Secretary, Water Resources Department, Mantralaya, Capital Complex, Mahanadi Bhawan, New Raipur, Police Station Rakhi, Civil & Revenue District Raipur Chhattisgarh.

---- Respondents

Shri Bhaskar Payashi, counsel for the petitioner/s.
Shri S.P.Kale, Dy.A.G. for the State.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

23/08/2017

The transfer order has been challenged mainly on two grounds. Firstly that the petitioner is more than 55 years of age and as per policy dated 03/06/2015, those employees who have completed 55 years, as far as possible, they are not required to be posted at core scheduled area. Second ground is that the wife of the petitioner is suffering from Kidney ailments and she requires periodical Dialysis.

2. Clause 1.5 under the policy dated 03/06/2015 provides that those employees who have completed 55 years, as far as possible, should not be posted in core scheduled area.

3. This aspect, therefore, requires consideration. If the petitioner prefers

representation within 15 days from today, the same shall be considered and decided by the concerned authority within a period of four weeks from the date of receipt of the representation. Till that decision is taken, coercive steps shall not be taken against the petitioner.

4. With the aforesaid observations, this petition is finally disposed off.

Sd/-

(Manindra Mohan Shrivastava)
Judge