

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 4078 of 2017

- R. K. Banjare S/o Late Shri M. P. Banjare, Aged About 56 Years R/o House Gypsy 22 Ganpati Vihar, Borsi Durg, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Agriculture Animal Husbandry And Fish Cherishing Department, Mahanadi Bhawan, Mantralaya, New Raipur, District Raipur, Chhattisgarh.
2. Under Secretary , Agriculture Animal Husbandry And Fish Cherishing Department, Mahanadi Bhawan, Mantralaya, New Raipur, District Raipur, Chhattisgarh.
3. Director, Fish Cherishing, Indrawati Bhawan, New Raipur, Chhattisgarh.
4. Mohan Lal Rana, Assistant Director Fish Cherishing Department, District Dantewada, Chhattisgarh.

---- Respondents

For Petitioner	:	Shri Akhilesh Mishra, Advocate
For Respondent/State	:	Shri A. S. Kachhawaha, Additional AG

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

28/08/2017

Heard.

2. Transfer order is under challenge on the ground that the petitioner had earlier served in the core scheduled area from 1990 to 1994. Now, the petitioner has again been subjected to transfer in a core scheduled area.
3. It is submitted that the petitioner is now 55 years of age and as per clause 1.5 of the transfer policy dated 03-06-2015, whereby a government employee, who has completed 55 years of age, as far as possible, he may not be posted in a core scheduled area.
4. The first ground raised by the petitioner that he remain posted in the core

scheduled area from 1990 to 1994, therefore, he could not be again transferred to core scheduled area, is not acceptable, because there is no such policy of the government providing exemption. However, the other ground raised by the petitioner that he has completed 55 years of age, therefore, his case should be considered for posting at any other place except core scheduled area, requires consideration in terms of clause 1.5 of the Transfer Policy.

5. If the petitioner submits representation along with a copy of this order within a period of 10 days from today before the respondent authority, the same shall be considered and decided within a period of four weeks from the date of receipt of a copy of this order. For a period of four weeks, no coercive steps shall be taken against the petitioner.

6. Accordingly, this petition is finally disposed off.

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