

**HIGH COURT OF CHHATTISGARH, BILASPUR****WPS No. 4092 of 2017**

P.L.Panth S/o Shri B.L. Panth, Aged About 61 Years Presently Posted As Assistant Engineer, At Water Resources Construction Sub Division, Pendra Road District Bilaspur, R/o Madhuban Colony, Pendra Road, Tahsil Pendra Road District Bilaspur, Chhattisgarh.

---- **Petitioner**

**Versus**

1. State Of Chhattisgarh Through The Secretary, Water Resources, Department, Mantralaya Mahanadi Bhawan, Naya Raipur, District Raipur, Chhattisgarh.
2. Joint Secretary, Water Resources Department, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur, Chhattisgarh.
3. Engineer In Chief, Water Resources, Department Sihawa Bhawan, Raipur, District Raipur, Chhattisgarh.
4. Superintendent Engineer, Water Resources, Division Bilaspur, District Bilaspur, Chhattisgarh.
5. Chief Executive Officer, Water Resources, Division Pendra Road, District Bilaspur, Chhattisgarh.
6. K.C. Dubey, Assistant Engineer, Water Resources, Division Raigarh, District Raigarh, Chhattisgarh

---- **Respondents**

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| For Petitioner | : | Mr. Mateen Siddiqui, Advocate   |
| For State      | : | Mr. Avinash Singh, Panel Lawyer |

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

**Order On Board**

**29/08/2017**

Heard.

1. The transfer order is under challenge on the ground that the petitioner is going to retire within a period of less than one year.
2. According to the transfer policy dated 11.07.2017, clause 1.9 where the Government servant is going to retire within one year, he has to be given an

option for being posted in his home district or a district of his option. However, as the petitioner's home district in Sagar (M.P.), he is entitled to be given an option for being posted in a district of his choice.

3. Considering the aforesaid provision of the policy, the case of the petitioner would require consideration by the respondent authorities.
4. If the petitioner prefers representation within a period of 10 days, the same shall be considered and decided within a period of four weeks. For a period of six weeks, no coercive steps shall be taken against the petitioner to compel him to proceed on transfer.
5. The petition is disposed off.

Sd/-

**(Manindra Mohan Shrivastava)**  
**Judge**