

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**WPS No. 4993 of 2017**

Rajkumar Mahanadiya S/o Late Domedas Mahanadiya, Aged About 54 Years Presently Posted As Hand Pump Technician P H E Subdivision Ambagarh Chowki, District Rajnandgaon Chhattisgarh.

**---- Petitioner**

**Versus**

1. State Of Chhattisgarh Through The Secretary, Public Health Engineering Department, Mahanadi Bhawan, Mantralaya, Naya Raipur, Chhattisgarh.
2. The Under Secretary, Government Of Chhattisgarh, Public Health Engineering Department, Mahanadi Bhawan, Mantralaya, New Raipur Chhattisgarh.

**---- Respondents**

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For petitioner : Mr. Goutam Khetrapal, Advocate

For State : Mr. Chandresh Shrivastava, Panel Lawyer

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

**Order on Board**

**21/09/2017**

Heard.

1. The transfer order is under challenge on the ground that the petitioner has remained posted in the scheduled area at Ambagarh chowki of Rajnandgaon district since 1996 and while considering him for transfer, instead of considering him for transfer outside the scheduled area as per clause 1.3 of policy dated 03.06.2015, the petitioner is again being sent to a scheduled area.
2. The policy dated 03.06.2015 requires consideration of the case of the petitioner in terms of provision contained in clause 1.3 because since

1996, the petitioner has remained posted in the scheduled area and now he is again being transferred to scheduled area.

3. 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