

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 6734 of 2016

Balram Singh Rajput S/o Late Shri Poshan Singh Thakur, Aged About 58 Years
Occupation Service Posted As Officer Grade II, At Chhattisgarh Rajya Gramin
Bank Basin, R/o Q-6, Adarsh Nagar, Durg, P.S. Pulgaon, Civil & Revenue Distt.
Durg (Chhattisgarh) Pin 491001

---- Petitioner

Versus

1. Chhattisgarh Rajya Gramin Bank Through Its Chairman, Chhattisgarh Rajya Gramin Bank, Head Office, Mahadev Ghat Road Sunder Nagar, Raipur, Civil & Revenue Distt Raipur, (Chhattisgarh) Pin 492013
2. General Manager (Administration), Chhattisgarh Rajya Gramin Bank, Head Office, Mahadev Ghat Road, Sunder Nagar, Raipur, Civil & Revenue Distt. Raipur (Chhattisgarh) Pin 492013
3. The Regional Manager, Chhattisgarh Rajya Gramin Bank, Behind District Hospital, Tikara Para Dhamtari, District Dhamtari, (Chhattisgarh)
4. Mr. Heera Lal Sahu, Chhattisgarh Rajya Gramin Bank, Basin Branch, Rajim, Tahsil Rajim, District Gariyaband, (Chhattisgarh)

---- Respondents

Shri Rabi Bhushan Sharma, counsel for the petitioner/s.
Shri N.Naha Roy, counsel for the respondents 1 to 3.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

24/01/2017

Learned counsel for the respondents seeks apology and to withdraw earlier statement made that separate transfer order has been passed. It is not in dispute that the only transfer order of the petitioner is dated 23/11/2016.

2. The transfer order has been challenged by the petitioner on the ground of violation of Clause 5 of the transfer policy for RRB officers and employees annexed along with the petition as Annexure P/5.

3. Learned counsel for the petitioner submits that as per Clause 5 of the

transfer policy, officers above 55 years of age have to be exempted from posting to remote and hardship centres as far as possible. He also submits that the petitioner is also entitled for consideration of posting in his home region in view of Clause 4 of the same policy.

4. Learned counsel for respondents submits that the petitioner has been transferred because of his sound career record. He submits that the petitioner is very hard working and in order to make recovery against Non-Performing Assets of loan cases pending in the bank at Kapsi, he has been transferred.

5. There is an exigency stated by the respondents which has warranted transfer of the petitioner. The transfer policy is not enforceable in the Court of law as such. Once the exigency is shown, the employee cannot insist upon his choice of posting. Therefore, I am not inclined to interfere with the order. At the same time, the petitioner is stated to be an officer of good track record of service and he is at the fag end of his service as he is going to retire in May, 2018. Therefore, in these circumstances, atleast the respondents should consider representation and explore the possibility if the petitioner could be sent to his own region as per Clause 4 of the transfer policy and relieve him of posting in remote and hardship centres.

6. Petitioner's case shall be considered by the respondents and appropriate decision may be taken within a period of three weeks from the date of receipt of copy of this order.

7. With the said observation, the petition is finally disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge