

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3978 of 2017

S. K. Dave S/o Late Shri Jaishanker Dave, Aged About 61 Years Sahkarita
Vistar Adhikari, Block Arang, District Raipur (Chhattisgarh).

---- Petitioner

Versus

State Of Chhattisgarh Through Secretary, Department Of Cooperative
Societies, Mahanadi Bhawan, Mantralaya, Naya Raipur, District Raipur
(Chhattisgarh).

---- Respondents

For Petitioner	:	Mr. T.K. Jha, Advocate
For State	:	Ms. Sunita Jain, Panel Lawyer

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

24/08/2017

Heard.

1. The transfer order dated 10.08.2017 is under challenge on the ground that the petitioner is suffering from partial paralysis and his transfer to Kanker would result in severe hardship as his wife is posted at Mahasamund. It is submitted that it at all, the petitioner's transfer is considered necessary because of his long continuation at Ambikapur, he could be posted at any other nearby places.
2. After having gone through the material on record and certain medical report, the matter would require consideration by the Competent Authority with reference to the nature and extent of petitioner's medical condition whether he should be transferred or not and if necessary, whether it should be adjusted at a nearby place. The Transferring authority shall examine this aspect within a period of 8 weeks. If necessary, it may also obtain the opinion of the Medical Board at the district level with regard to petitioner's condition.

3. The aspect whether the petitioner should be adjusted at nearby places, may also be considered in exigency of service. For a period of 8 weeks, the petitioner shall not be compelled to proceed on transfer.
4. The petition is accordingly disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Rekha