

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 4032 of 2017**

Raghuraj Singh Chouhan S/o Shri Grendra Singh Chouhan, Aged About 58 Years Sr. Horticulture Development Officer At Shaskiya Udyan Ropdi, Sardha, Block Lormi, District Mungeli Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Under Secretary, Agriculture And Biotechnology, Department, Mantrayala, Mahanadi Bhawan, Naya Raipur District Raipur Chhattisgarh.
2. Director, Horticulture Directorate Udyaniki And Prachhep Vaniki, Indravati Bhawan, Floor No. 4, Naya Raipur District Raipur (Chhattisgarh)
3. Assistant Director, Horticulture, Mungeli District Mungeli (Chhattisgarh)
4. Gayatri Prasad Sahu, Sr. Horticulture Development Officer At Shaskiya Udyan Ropdi, Mohtara, Block Pandariya, District Kabirdham Chhattisgarh.

---- Respondents

For Petitioner	:	Shri A.S. Rajput, Advocate
For Respondent/State	:	Shri Chandresh Shrivastava, Panel Lawyer

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****25/08/2017**

Heard.

1. The petitioner has challenged the transfer order on the ground that the petitioner belongs to handicap category and therefore, he be exempted from transfer.
2. In the present Transfer Policy dated 11.07.2017, there is no provision which exempts person suffering from disability from transfer. However, looking to the nature and extent of disability, the place and distance at which the handicap petitioner is being transferred, it would be a matter of consideration whether he should be

transferred or not . This can be best examined by the transferring authority and not by the Court. The petitioner, however, if submits representation alongwith a copy of this order within a period of 10 days from today, the same shall be considered whether it is possible to adjust the petitioner at any nearby place because an employee cannot remain posted at one place for all time.

3. If no one has joined at the present place of posting of the petitioner, for the next three weeks, coercive steps shall not be taken against the petitioner.

4. The petition is accordingly disposed off.

Sd/-

(Manindra Mohan Shrivastava)
Judge