

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No.4183 of 2017

- B.D. Kushwaha S/o Shri Heeralal Kushwaha, Aged About 58 Years R/o Near Shiv Mandir, Prema Bag, Govt. Qtr. No. 17, Baikunthpur, District Korea Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Revenue, Mahanadi Bhawan, Naya Raipur, District Raipur Chhattisgarh.
2. Collector, Korea, District Korea Chhattisgarh.

---- Respondents

For Petitioner	:	Shri Ravindra Sharma, Advocate
For Respondent/State	:	Ms. Sunita Jain, PL

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

30/08/2017

Heard.

2. Transfer order is under challenge on the ground that the petitioner has remained posted in a scheduled area for the last 16 years and now he has again been shifted to scheduled area without considering him to post in a non-scheduled area, which is violation of transfer policy. The second ground of challenge is that the petitioner is an elected Secretary of the District Level Unit of the Employees Association, therefore, he is entitled to protection against the transfer for a period of three years.
3. The petitioner was posted in the office of Baikunthpur on 15-04-2015, therefore, this protection is available to the petitioner for a period of three years against transfer. Considering the aforesaid submission and grounds raised in this petition, this matter requires consideration.

4. The petitioner has already preferred representation. The respondent authority shall consider and decide the same within a period of six weeks from the date of receipt of a copy of this order. Till appropriate order is passed, no coercive steps be taken against the petitioner to compel him to proceed on transfer.

5. With the aforesaid observation, the petition is disposed off.

SD/-
(**Manindra Mohan Shrivastava**)
Judge