

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 4052 of 2017**

Jageshwar Prasad Sahu S/o Shri I.R. Sahu, Aged About 42 Years Posted As Fishery Inspector, R/ O House No. P-2, B/425, Sector- 27, New Raipur, District Raipur, Chhattisgarh.

---- **Petitioner**

Versus

1. State Of Chhattisgarh Through The Secretary, Fisheries Department, Mahanadi Bhawan, Mantralaya, New Raipur, District - Raipur (Chhattisgarh.)
2. The Director Fishiculture, Indrawati Bhawan Naw Raipur, District- Raipur, Chhattisgarh.
3. Sourabh Chandrakar, Fishery Inspector, Officer Of Assistant Director, Fishiculture District Balrampur, Chhattisgarh.

---- **Respondents**

For Petitioner	:	Mr. Goutam Khetrapal, Advocate
For State	:	Mr. Avinash Singh, Panel Lawyer

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board**

29/08/2017

Heard.

1. The transfer order is under challenge on the ground that ever since the petitioner initially appointed on 07.01.2011, the petitioner has continue to remain posted in scheduled area.
2. Learned counsel for the petitioner submits that after initial service of 5 years in Kondagaon, he was transferred to Gariyaband, which is also a scheduled area where he remained posted for 2 ½ years and now he is again being transferred to Balrampur that is again scheduled area. He submits that in view of provision contained in clause 1.3 of transfer policy dated 03.06.2015, when the Government servant has completed posting in scheduled area for atleast 3 years, he is required to be considered for being posted in a non-scheduled area. But

the petitioner is again being sent to core scheduled area of posting.

3. 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 2011, the petitioner has remained posted in the core scheduled area and scheduled area and now he is again being transferred to scheduled area.
4. 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