

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No.4231 of 2017

- Ramavatar Yadav S/o Shri Ramkhilavan Yadav Aged About 51 Years R/o Village Khadgavan, District Koriya, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Woman And Child Welfare Development, Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur, Chhattisgarh.
2. Joint Director, Department Of Woman And Child Welfare Development, Surguja Division, Ambikapur, District Surguja, Chhattisgarh.
3. District Project Officer, Department Of Woman And Child Welfare Development, Baikunthpur, District Koriya, Chhattisgarh.
4. District Project Officer, Department Of Woman And Child Welfare Development , Gariyaband, District Koriya, Chhattisgarh.

---- Respondents

For Petitioners	:	Shri R. S. Baghel, Advocate
For Respondent/State	:	Shri D. R. Minz, Dy.GA

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

30/08/2017

Heard.

2. Transfer order is under challenge on the ground that within a period of less than one year, the petitioner has been transferred from the present place of posting which is violation of the transfer policy dated 11-07-2017. The second ground is that the petitioner has remained posted in the schedule area for the last one year and even prior to that, he remained posted in the scheduled area and thereby continuously working in the scheduled area for the last three years, therefore, he should have been posted outside the scheduled area as per clause 2.1 of the transfer policy dated 03-06-2017. Another ground is that as there is no specific protection given in the impugned transfer order, the petitioner apprehends that after his transfer, seniority would be adversely affected.

3. Grounds raised by the petitioner requires consideration. If the State wants to transfer the petitioner, a clear order will have to be passed with a direction that the petitioner's seniority would be protected. Other two grounds would be a matter of consideration on administrative aspects.

4. In view of above, it is directed that if the petitioner prefers representation along with a copy of this order within a period of two weeks from today, the same shall be considered and decided by the respondent authority within a period of four weeks from the date of receipt of representation. For a period of six weeks, no coercive steps shall be taken against the petitioner.

5. Accordingly, this petition is finally disposed off.

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