

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 4401 of 2017

Paskal Lakara S/o S.J. Lakara, Aged About 49 Years Posted As Assistant Statistical Officer, Posted Office Of District Planning And Statistical Office, Ambikpur, District Surguja, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through : The Secretary, Planning, Economical And Statistical Department, Mahanadi Bhawan, Mantralaya Naya Raipur, District Raipur (Chhattisgarh)
2. Under Secretary, State Of Chhattisgarh, Planning Economical And Statistical Department Mahanadi Bhawan, Mantralaya Naya Raipur, District Raipur (Chhattisgarh)
3. Sujit Kumar Vishwas, Posted As Assistant Statistical Officer, Posted At Raipur, District Raipur, Chhattisgarh.

---- Respondents

For Petitioner	:	Shri K.P. Gupta, Advocate
For State	:	Shri Chandresh Shrivastava, Panel Lawyer

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

15/09/2017

Heard.

1. The transfer order is under challenge on the ground that the petitioner is presently posted in the scheduled area and he is not interested in moving out of scheduled area, therefore, his case require consideration in terms of provision contained in clause 2.2 of the policy dated 3.6.2015 which states that if an employee is willing to continue in scheduled area, he will not be shifted unless there is a decision for transfer on the basis of complaint and administrative exigency.
2. The above aspect is required to be considered by the respondent -State. The petitioner has already preferred representation. Let a decision be taken by the respondent on the representation of the petitioner within a period of 4 weeks from the date of receipt of copy of this order and if the petitioner has not been

relieved, no coercive steps shall be taken to compel the petitioner to proceed on transfer till the decision on his representation is taken.

3. The petition is accordingly finally disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Praveen