

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 159 of 2018

Mukesh Kumar Diwakar S/o Shri Sant Ram Diwakar Aged About 35 Years
Working As Probation Officer, Office Of The Deputy Director Social Welfare
Korba District Korba Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Department Of Social Welfare, Mantralaya Mahanadi Bhavan Naya Raipur District Raipur Chhattisgarh.
2. Director, Directorate Social Welfare Mahanadi Block D K S Bhawan , District Raipur Chhattisgarh.
3. Collector Korba , District Korba, Chhattisgarh.

---- Respondents

Shri Jitendra Pali, counsel for the petitioner/s.
Shri Prasoon Bhaduri, Govt. Advocate for the State.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

08/01/2018

The only ground of challenge to the transfer order is that though the petitioner has been posted in the scheduled area since 2012 when an occasion arose to transfer him, he is being again transferred to scheduled area without there being any consideration of his transfer outside the scheduled area in terms of Clause 2.1 of the policy dated 03/06/2015.

2. Considering the aforesaid submission and that the petitioner has already made representation, it would be proper to direct the respondent authority to consider petitioner's representation made on the ground of violation of policy dated 03/06/2015. The authority shall examine the claim of the petitioner to explore the possibility to transfer him to a non-scheduled area.

3. Within a period of 10 days from today, this order shall be communicated to the respondents and thereafter, within a period of four weeks, the respondents

shall decide the representation.

For a period of five weeks, no coercive steps shall be taken against the petitioner to compel him to join at the place where he has been transferred.

4. With the aforesaid observations, this petition is finally disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge