

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 1608 of 2018**

Ramesh Kumar Mishra S/o Late R.B. Mishra Aged About 60 Years R/o Dindayal Upadhyay Nagar, Danganiya, Sector 1, Raipur, District Raipur, Chhattisgarh.,
District : Raipur, Chhattisgarh

---- Petitioner**Versus**

1. Chhattisgarh State Power Distribution Company Limited A Government Of Chhattisgarh Undertaking, A Successor Company Of CSEB Through Its Managing Director Danganiya Raipur, District Raipur, Chhattisgarh, District : Raipur, Chhattisgarh
2. Executive Director (HR) Chhattisgarh State Power Distribution Company Limited Danganiya Raipur, District Raipur, Chhattisgarh, District : Raipur, Chhattisgarh

---- Respondents

Shri Manoj Paranjpe, counsel for the petitioner/s.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****20/02/2018**

Heard.

The present petition has been filed against order of transfer dated 08/02/2018 whereby the petitioner has been transferred from Raipur to Jagdalpur.

2. The contention of learned counsel for the petitioner is that the petitioner was earlier posted at Jagdalpur since 2014 to 2016 and on account of the fact that he undergone bypass surgery, he had made request to the respondents for posting him at Raipur as he was under treatment of the doctors at the hospital located at Raipur. According to the petitioner, the respondents had accepted the prayer of the petitioner and posted him on health grounds at Raipur vide order dated 01/07/2016, on the basis of which, the

petitioner joined at Raipur in July, 2016 itself. It is next submitted that barely within 1½ years, the petitioner has now again been transferred and posted at Jagdalpur where he already remained posted earlier. Counsel for the petitioner also submits that the petitioner is going to retire within a period of two years and under the Government policy itself, the employee / officer who are at the fag end of their service and are about to retire, should not be disturbed or at least be accommodated as far as possible at a nearby place of their home district or to a place of their option. Therefore also, the petitioner should not have been transferred.

3. Having considered the facts and circumstances of the case, this Court is of the opinion that no fruitful purpose would be served in keeping this petition pending. Accordingly, the present petition stands disposed off with a direction that the petitioner shall make a detailed representation to respondent No.2 within 7 days from today and respondent No.2, in turn, shall consider and decide the representation within a further period of three weeks from the date of receipt of representation. Till representation so made is decided, subject to the petitioner making representation within seven days from today, there shall be stay of the effect and operation of the impugned order in so far as posting of the petitioner is concerned.

**Sd/-
(P. Sam Koshy)
Judge**