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HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3307 of 2018

V. K. Anant S/o Late S R Anant, Aged About 61 Years Posted As Transport Inspector Posted At Regional Transport Office, Ambikapur District Surguja Chhattisgarh, District : Surguja (Ambikapur), Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Ambikapur District Surguja Chhattisgarh, District : Raipur, Chhattisgarh
2. Commissioner Office Of Transport Commissioner Chhattisgarh Raipur, C-Block, 3rd Floor, Indrawati Bhawan New Raipur District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
3. Additional Commissioner , Officer Of Transport Commissioner, Chhattisgarh Raipur, C - Block , 3rd Floor , Indrawati Bhawan New Raipur District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
4. Regional Transport Officer , Ambikapur District Surguja Chhattisgarh, District : Surguja (Ambikapur), Chhattisgarh
5. Malik Ram Gayakwad, Transport Inspector Posted At Regional Transport Office, Jagdalpur District Bastar Chhattisgarh, District : Bastar (Jagdalpur), Chhattisgarh

---- Respondents

For Petitioner	:	Shri Raghvendra Pradhan, Advocate
For State	:	Shri Dhiraj Wankhede, Govt. Advocate

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

24/04/2018

Challenge is laid to order dated 16/04/2018 by which, the petitioner has been transferred.

2. Transfer is challenged on the ground that the petitioner has been subjected to frequent shifting within a short period of seven months. The petitioner was posted at the present place vide order dated 06/09/2017. Now, by impugned order passed on

16/04/2018, he has again been transferred within a short period of seven months. Second ground is that the petitioner is going to retire in the month of March, 2019 and less than one year is left for his retirement.

3. State counsel, at the outset, submits that if the petitioner prefers representation, this aspect shall be taken into consideration by the competent authority.

4. In view of the aforesaid submission made by learned counsel for the parties, I am inclined to dispose off this petition with liberty to the petitioner to prefer representation within a period of 15 days from today. If such representation is made to the respondent No.2 – Commissioner, Office of Transport Commissioner, the same shall be considered and decided within a period of eight weeks.

For a period of 13 weeks, no coercive steps shall be taken against the petitioner to compel him to transfer him under the impugned order and he shall be allowed to continue at the present place of posting. If the petitioner does not prefer representation within 15 days, the protective umbrella of this Court will lose its efficacy.

5. The petition is accordingly disposed off.

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