

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3385 of 2018

Niraj Mishra S/o S/o Shri Ramji Mishra Aged About 34 Years At
Present Posted As Horticulture Development Officer, At Government
Horticulture Nursery, Armurkasa, Block Dondi, District- Balod,
Chhattisgarh., District : Balod, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Agriculture And Bio-
Technology Department, Mahanadi Bhawan, Mantralaya, New
Raipur, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
2. Under Secretary, State Of Chhattisgarh, Agriculture And
Biotechnology Department, Mahanadi Bhawan, Mantralaya, New
Raipur, District Raiupur, Chhattisgarh., District : Raipur,
Chhattisgarh
3. Director, Department Of Horticulture And Farm Forestry, Indrawati
Bhawan, New Raipur, District- Raipur, Chhattisgarh., District :
Raipur, Chhattisgarh

---- Respondents

For Petitioner : Ms. Hamida Siddiqui, Advocate.

For State : Mr. Dhiraj Wankhede, GA

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order on Board

27/04/2018

1. The petitioner had earlier filed this petition aggrieved by transfer order dated 14-08-2017 on the ground of petitioner's posting outside scheduled area in terms of clause 2.1 of the circular dated 03-06-2015. Taking into consideration, this Court had directed consideration specifically on this issue.

2. The order which has now been passed on 07-04-2018 does not at all reflect that the petitioner's case was examined under the clause 2.1 of circular dated 03-06-2015 but on some other consideration which would not amount to consideration under clause 2.1 of circular dated 03-06-

2015 , representation was rejected, therefore, the order impugned is set aside. The authority is directed to consider the case of the petitioner under clause 2.1 of the circular dated 03-06-2015 within a period of four weeks from the date of receipt of copy of this order. If the petitioner is not relieved, he shall not be relieved till the next date of hearing.

3. Accordingly, the petition is disposed off.

Sd/-

(Manindra Mohan Shrivastava)

Judge

Rohit