

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No.45 of 2018

- Ram Prakash (R. P.) Mishra S/o Late Shri R. K. Mishra, Aged About 60 Years Working As Social Educational Organiser, Janpad Panchayat Pali, District Korba Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, 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

---- Respondents

For Petitioner	:	Shri Jitendra Pali, Advocate
For Respondent/State	:	Shri Dhiraj Wankhede, GA

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

04/01/2018

Heard.

2. The transfer order is under challenge mainly on the ground that the petitioner having served in the scheduled area since July 2008, now, he is again being transferred to scheduled area without considering his prayer for posting outside the scheduled area, as per clause 2.1 of the policy dated 3.6.2015. It is submitted that the petitioner is going to retire within two years.
3. Considering the aforesaid submission, it is found that the petitioner did not file any representation, but directly filed this petition before this Court, alleging violation of the transfer policy.
4. Therefore, in these circumstances, it would be proper to allow the petitioner to prefer representation on the ground of violation of transfer policy

dated 03-06-2015 before the transferring authority.

5. Accordingly, this writ petition is finally disposed off with a direction that if the petitioner prefers representation within a period of 10 days, the same shall be considered and decided by the authority within a period of 4 weeks from the date of receipt of representation. For a period of 6 weeks, no coercive steps shall be taken against the petitioner to compel him to join at the transferred place.

Sd/-

(Manindra Mohan Shrivastava)

J U D G E