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HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 6022 of 2018**

Suresh Singh S/o Late Shri D.P. Singh, Aged About 46 Years, Posted
As District Programme Officer, Women And Child Development
Department, Bilaspur, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Women And Child Welfare
Department, Mahanadi Bhawan, New Raipur District Raipur
Chhattisgarh
2. Election Commission Of India, Through Chief Election Commissioner,
Nirvachan Sadan, New Delhi

---- Respondents

For Petitioner	:	Shri Anup Majumdar, Advocate
For State	:	Shri S. P. Kale, Dy. A.G.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****13.09.2018**

The challenge in the present writ petition is to the order of transfer where the petitioner who is working on the post of District Programme Officer, Women and Child Development Department, Bilaspur has been transferred to the Office of the District Programme Office, Raipur.

2. Counsel for the petitioner submits that in the forthcoming election the petitioner has been appointed as a Sector Officer. He submits that the impugned order has been passed in accordance with the circular of the Govt. of India dated 21.05.2018. The said circular exempts the category of

persons to which the petitioner belongs in as much as Clause 7(v) clearly envisages that the officers appointed as Sector Officer/Zonal Magistrate involved in the election duty are not covered under this instruction. This by itself means, the petitioner who has been appointed as a Sector Officer would be an exempted category under the circular and therefore he could not have been transferred.

3. Given the aforesaid facts and circumstances of the case, let the petitioner make a representation in this regard apprising the authorities in respect of the circular and its contents to the respondents within a period of 10 days from today and thereafter respondent no.1 shall take a decision on his representation at the earliest. Meanwhile the respondents shall restrain themselves from giving effect to the impugned order so far as the petitioner is concerned till the representation of the petitioner is decided by them.

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