

HIGH COURT OF CHHATTISGARH, BILASPUR**WRIT PETITION (S) NO.6596 OF 2018**

Smt. Gayatri Verma W/o Shri Santosh Kumar Aged About 38 Years R/o G-17, Block No.2, Officers Colony, Korba, Police Station-Balco, Tahsil And District- Korba, Chhattisgarh.

...Petitioner(s)**Versus**

1. State Of Chhattisgarh Through Its Secretary, Department Of Home/ Police, Secretariat, Mahanadi Bhawan, P.S. And Post Rakhi, Atal Nagar, Raipur, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
2. Additional Director General Of Police (Adgp) Intelligence Bureau, Police Headquarter (P H Q), Near Mahanadi Bhawan, P.S. And Post Rakhi, Atal Nagar, Raipur, District- Raipur, Chhattisgarh.
3. Deputy Inspector General Of Police (D-I G P) Intelligence Bureau, Police Headquarter (P H Q), Near Mahanadi Bhawan, P.S. And Post Rakhi, Atal Nagar, Raipur, District- Raipur, Chhattisgarh.
4. Zonal Superintendent Of Police Special Branch, Near Mungeli Naka, Bilaspur, District- Bilaspur, Chhattisgarh.

... Respondent(s)

For Petitioner	:	Shri Abhishek Pandey, Advocate.
For Respondent-State	:	Shri Mazid Ali, Dy. Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****05.10.2018**

1. The challenge in this petition is to the order dated 10.09.2018 (Annexure P/3) whereby the services of the petitioner has been attached from the office of Special Branch Korba to the office of Zonal Police Superintendent, Special Branch, Bilaspur.
2. The contention of the petitioner is that the impugned order reflects of it being an attachment order so far as the petitioner is concerned and that so far as attachment of a government employee is concerned, there is a complete ban by the State vide circular dated 04.06.2001 which still holds good. Further contention of the petitioner is that in the Police Department the transfer of the officers up to the rank of Inspector has to be routed through the Police Establishment Board under Section 22 of the

Chhattisgarh Police Act, 2007 wherein the State has entrusted transfer of person of officers up to the rank of Inspector on the Police Establishment Board.

3. Given the aforesaid facts, let the petitioner make a detailed representation to the respondent No.2 within a period of 15 days from today and thereafter the respondent No.2 in turn shall consider the contention/objection raised by the petitioner within a further period of 60 days. Till a decision is taken on the said representation/objection to be filed by the petitioner, the respondents are restrained from giving effect to the impugned order dated 10.09.2018 (Annexure P/3).
4. While deciding the said representation, the authorities would ensure that any sort of attachment order so far as petitioner is concerned, would have to be reconsidered and the petitioner would have to be sent to her substantial place of posting reserving the right of the respondents for issuance of a proper order of transfer in accordance with rules governing the field under administrative exigency.
5. Accordingly, the present petition stands disposed of with a direction to the respondent No.3 to decide the pending appeal of the petitioner, if not decided till date, within a further period of 60 days from the date of receipt of certified copy of this order.
6. The petitioner accordingly stands allowed and disposed of.

Sd/-
(P. Sam Koshy
Judge)