

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 6761 of 2018**

Dr. Gurucharan Singh Saluja S/o Shri Harbans Singh Saluja, Aged About 55 Years, Working As Professor (Mathematics), Posted At Government Post Graduate College, Jagdalpur, District Bastar Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Department Of Higher Education, Govt. Of Chhattisgarh, Mahanadi Bhavan, P.O. Rakhi, Naya Raipur, District Raipur Chhattisgarh
2. The Commissioner, Higher Education Department, Indravati Bhavan, Naya Raipur, District Raipur Chhattisgarh

---- Respondents

For Petitioner	:	Shri M. P. S. Bhatia, Advocate
For State	:	Shri D. Wankhede, Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****10.10.2018**

The challenge in the present writ petition is to the order Annexure P-1 dated 01.10.2018 whereby the petitioner who is working as a Professor (Mathematics) at Govt. Post Graduate College, Jagdalpur, District Bastar has been transferred to Govt. College Pakhanjur, District Kanker.

2. The primary ground of the petitioner challenging the order of transfer is that the petitioner is a cancer patient and is regularly visiting Raipur for his treatment. The second ground which the petitioner has raised is that the petitioner has been working in a scheduled area for quite some time

and now he has again been transferred from one scheduled area to another scheduled area.

3. Given the facts and circumstances of the case, the petitioner is directed to make a detailed representation to respondent no.1 within a period of 3 weeks from today and respondent no.1 in turn taking into consideration the health condition and the medical requirement of the petitioner and also taking into consideration the circulars and policies of the State Govt. in this regard shall take a decision at the earliest preferably within a period of 3 months from the date of receipt of the representation. While deciding the representation, the authority should take a sympathetic approach. Till then the impugned order so far as the petitioner is concerned shall not be given effect to.

4. With the aforesaid observation, the writ petition stands disposed of.

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