

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 6908 of 2018**

T. R. Dubey S/o Shri Bharat Prasad Dubey, Aged About 60 Years,
 Posted As Assistant Engineer In The Office Of Project Implementation
 Unit No. 1, Kondagaon, Panchayat And Rural Development
 Department, Civil And Revenue District Kondagaon, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Its Secretary, Panchayat And Rural Development, Mantralaya, Capital Complex, Mahanadi Bhawan, New Raipur, Police Station Rakhi, Civil And Revenue District Raipur Chhattisgarh
2. Under Secretary, Panchayat And Rural Development, Mantralaya, Capital Complex, Mahanadi Bhawan, New Raipur, Police Station Rakhi, Civil And Revenue District Raipur, Chhattisgarh

---- Respondents

For Petitioner	:	Shri Rohitashva Singh, Advocate
For State	:	Shri D. Wankhede, Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****12.10.2018**

The challenge in the present writ petition is to the order Annexure P-1 dated 10.09.2018 whereby the services of the petitioner have been transferred from Kondagaon to Dantewada.

2. The first ground of challenge in the present writ petition is that the impugned order of transfer is bad in law for the reason that the petitioner has been sent from one core scheduled area to another core scheduled

area. The second ground of challenge is that the petitioner as of now is more than 60 years of age and there is very few period of service left for his retirement. He submits that as per the transfer policy of the State Govt., if an employee has crossed the age of 55 years, thereafter all efforts would be made for not posting such employee at a scheduled area.

3. Perusal of the record would show that the petitioner as of now is working in core scheduled area and by the impugned order he has been transferred to another core scheduled area.

4. In view of the same, let the petitioner make a detailed representation with all relevant documents to respondent no.1 in this regard within a period of 15 days from today and on such representation being made, the respondents shall take a decision within a further period of 3 months thereafter. Meanwhile, the effect and operation of the impugned order so far as the petitioner is concerned shall remain stayed.

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

Certified copy today.

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