

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 7237 of 2018

Dr. M. B. P. Vishwakarma S/o Bhaiyalal Vishwakarma Aged About 56 Years Veterinary Assistant Surgeon, Incharge, Veterinary Hospital, Ambagarh Chowki, District - Rajnandgaon, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Animal Husbandry Development, Mantralaya, Mahanadi Bhawan, Naya Raipur, District - Raipur, Chhattisgarh.
2. Under Secretary Department Of Animal Husbandry Development, Mantralaya, Mahanadi Bhawan, Naya Raipur, District - Raipur, Chhattisgarh.
3. Director Directorate Of Veterinary Services, Indrawati Bhawan, Naya Raipur, District - Raipur, Chhattisgarh.
4. Deputy Director Directorate Of Veterinary Services, Rajnandgaon, District - Rajnandgaon, Chhattisgarh.

---Respondents

For Petitioner	:	Mr. Adil Minhaj, Advocate
For State	:	Mr. R.N. Pusty, Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy

Order on Board

01/11/2018

1. The challenge in the present writ petition is to the order Annexure P/1 dated 06.10.2018, whereby the petitioner has been transferred from Veterinary Hospital Ambagarh Chowki, District Rajnandgaon to Veterinary Hospital, Tongpal, District Sukma.
2. The contention of the petitioner is that the petitioner has been transferred from one schedule area to further core schedule area. According to the petitioner as per the policy of the State Government itself, no person would be transferred beyond the age of 55 years from one schedule area to another schedule area and the petitioner

in the instant case is more than 55 years and therefore he could not have been sent to Sukma.

3. The counsel for the petitioner further submits that the order of transfer has been issued with malafide on the ground that there some allegations made against the petitioner, for which the petitioner has already filed a writ petition, which is pending before this Court.
4. Given the facts, let the petitioner file a detailed representation to the respondent No.1 in this regard within a period of 10 days and on such representation being made, the respondent No.1 in turn shall take into consideration on the representation of the petitioner in accordance with the policy, rules and regulations, governing the field within a period of 90 days thereafter and till the representation is finally decided, the effect and operation of the impugned order so far as the petitioner is concerned, shall remained stayed.
5. Certified copy today.

Sd/-
(P. Sam Koshy)
Judge

Ved