

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 4172 of 2019

Amar Kumar Ruthala S/o Late Shri G.P. Sharma Aged About 59 Years Junior Suprintendent/ Warehouse Manager Central Warehouse, Maharaja Tola, Ward No. 18, Bhatgaon- Soram Road, Dhamtari, Chhattisgarh

---- Petitioner

Versus

1. The Union Of India Through Its Secretary, Ministry Of Consumer Affairs, Food And Public Distribution, Krishibhawan, New Delhi
2. Central Warehousing Corporation Through Its General Manager, Personnel Warehousing Bhawan, 4/ 1, Siri Institutional Area, August Kranti Marg, New Delhi.
3. The Regional Manager Central Ware Housing Corporation, Regional Office, 75, Arera Hills, Bhopal, Madhya Pradesh
4. The Superintendent General/ Vigilance, CWC, Regional Office, 75, Arera Hills, Bhopal, Madhya Pradesh.

---Respondents

For Petitioner	:	Mr. Sunil Verma, Advocate
For Respondent	:	Mr. Vinod Deshmukh, Adv.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

11/07/2019

1. The Challenge in the present writ petition is to the order of transfer dated 26.04.2019 Annexure P/5 whereby the service of the petitioner stands transferred from Central Warehouse Dhamtrari to Central Warehouse Raigarh.
2. Shri Vinod Deshmukh has entered appearance for the respondent and he submits that perusal of record would show that the petitioner has not approached the authorities against the order of transfer dated 26.04.2019. He further submits that subject to the petitioner making a representation, the same shall be considered by the

authorities in accordance with rules and regulations and the transfer policy applicable in the department.

3. At this juncture, Counsel for the applicant submits that the petitioner has got only about 6 months of service left for his superannuation and therefore it would not be justified, proper and legal at this juncture to transfer him from Dhamtari to Raigarh, he may be accommodated at the present place of posting itself till his superannuation.
4. Given the aforesaid facts & circumstances of the case, let the petitioner make a detailed representation to the respondent No 2 to 4 within a period of 3 weeks from today and the respondent in turn shall consider the same in accordance with the transfer policy applicable in the department and would also sympathetically consider the case of the petitioner particularly on the ground that the petitioner has got only around 6 months of service left for his superannuation.
5. The writ petition accordingly stands disposed off. Meanwhile, since the petitioner is already granted interim protection vide order dated 22.05.2019. The respondent shall maintain status quo as it exists today till the representation of the petitioner is finally decided.
6. The writ petition accordingly stands disposed off.

Sd/-
(P. Sam Koshy)
Judge