

HIGH COURT OF CHHATTISGARH, BILASPUR**WRIT PETITION (S) NO.6709 OF 2019**

Narendra Wahne S/o Lakhan Wahane Aged About 59 Years Presently Posted And Working As Assistant Food Officer, R/o Ward No. 20, Khairagarh, District - Rajnandgaon, Chhattisgarh.

...Petitioner(s)

Versus

1. State of Chhattisgarh Through The Secretary, Department of Food, Civil Supplies and Consumer Protection, Mahanadi Mantralaya, Naya Raipur, Atal Nagar, Post Office And Police Station Naya Raipur, Atal Nagar, District - Raipur, Chhattisgarh.
2. Director Directorate of Food, Civil Supplies and Consumer Protection, Indrawati Bhawan, Naya Raipur, Atal Nagar, Post Office and Police Station Naya Raipur, Atal Nagar, District - Raipur, Chhattisgarh.
3. Collector Rajnandgaon, Chhattisgarh.
4. Food Officer Rajnandgaon, Chhattisgarh.

... Respondent(s)

For Petitioner	:	Shri Malay Shrivastava, Advocate.
For Respondent-State	:	Shri Ayaz Naved, Govt. Advocate.

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

02.09.2019

1. This is second round of litigation. The petitioner challenged the earlier transfer order dated 20.02.2019 vide WPS No.1981 of 2019. While disposing of the said writ petition, the respondents were directed to consider the representation of the petitioner and the grounds that the petitioner raises in his representation.
2. The respondents have now passed the order rejecting the representation of the petitioner. However, no specific reasons have been assigned as to how the respondent did not find strong grounds for allowing the representation of the petitioner. There have been specific grounds raised by the petitioner which require consideration particularly the heart ailment of the daughter of the petitioner as it has been contended by the petitioner that his daughter had recently undergone open heart surgery and is under constant treatment from Ram Krishna Care Hospital, Raipur. This fact

does not seem to have been looked into by the authorities concerned while rejecting the representation of the petitioner.

3. Accordingly, this court is of the opinion that the case of the petitioner and the representation of the petitioner seeking for reconsideration of the order of transfer dated 20.02.2019 needs fresh reconsideration.
4. The present writ petition accordingly stands disposed of directing the respondent No.1 to reconsider the case of the petitioner sympathetically in the light of the grounds that the petitioner has raised in his representation which of course would be subject to verification by the State authorities.
5. Till the representation is decided afresh, the interim order granted by this court in the earlier round of litigation i.e. in WPS No.1981 of 2019 on 19.03.2019 shall remain in force.
6. The writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge