

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 6564 of 2019

Devendra Kumar Chaudhary S/o D.S. Chaudhary Aged About 44 Years
Presently Posted As Nayab Tahsildar, Lundra, District - Surguja,
Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through - The Secretary, Revenue Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, Raipur, District - Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
2. Under Secretary State Of Chhattisgarh, Revenue Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, Raipur, District - Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
3. Collector Ambikapur, District - Surguja, Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh

---Respondents

For Petitioner	:	Mr. Syed Majid Ali, Advocate
For State	:	Mr. Ayaz Naved, G.A.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

28/08/2019

1. The challenge in the present writ petition is to the order Annexure P/1 dated 14.08.2019, whereby the petitioner has been transferred from District Surguja to District Bijapur.
2. The ground of challenge in the present writ petition is that the petitioner right from the time of his appointment in the year 2008 has been posted only in scheduled area and now he is again being transferred to another core scheduled area, which is contrary to the transfer policy of the State Government. The second ground of challenge is on sympathetic ground i.e. the wife of the petitioner is suffering from the disease sickle cell and she requires constant medical attention and which she may not find it at the

transferred place at Bijapur. The third ground of challenge is that the order of transfer has been made in the mid-session, therefore the education of the child would get adversely affected.

3. Given the said facts, let the petitioner make a detailed representation to the respondents within a period of 10 days from the date of receipt of the copy of this order and the respondents in turn shall decide the same taking into consideration the transfer policy and the grounds that the petitioner has made in the representation within a further period of 30 days from the date of receipt of the representation. Meanwhile, the effect and operation of the impugned order Annexure P/1 shall remain stayed so far as the petitioner is concerned.
4. With the aforesaid observations, the present writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge

Ved