

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 6788 of 2019

Satish Kumar Sinha S/o Late Shri Birendra Kumar Sinha Aged About 54 Years Assistant Grade-2, Posted In Tahsil Office Kunkuri, R/o Pathak Colony, Gamhariya Road, Jashpur, District Jashpur, Civil And Revenue, District Jashpur, Chhattisgarh., District : Jashpur, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Revenue Department, Mahanadi Bhawan, Mantralay, New Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
2. The Collector Jashpur, District Jashpur, Chhattisgarh., District : Jashpur, Chhattisgarh
3. The Tahsildar Kunkuri, District Jashpur, Chhattisgarh., District : Jashpur, Chhattisgarh

---Respondents

For Petitioner	:	Mr. Manoj Kumar Sinha, Advocate
For State	:	Ms. Abhyunnati Singh, P.L.

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

30/08/2019

1. The challenge in the present writ petition is to the order Annexure P/1 dated 12.07.2019, whereby the petitioner has been transferred from the office of Tahsildar Kunkuri, District Jashpur to the office of Tahsildar Pathalgaon, District Jashpur.
2. The challenge is on the ground that the petitioner is a physically handicapped person and is suffering from more than 40% of disabilities as it evident from the medical document issued by the Chief Medical and Health Officer, Raigarh.
3. Considering the fact that the petitioner is a physically handicapped person, let the petitioner make a detailed representation to the respondent within a period of 15 days from the date of receipt of the copy of this order and the respondents in turn shall consider and decide the same within a further

period of 45 days from the date of receipt of the representation. Till the representation of the petitioner is decided, the effect and operation of the impugned order shall remain stayed.

4. While considering the representation of the petitioner, the authorities concerned would take note of the transfer policy, which gives certain protection to the physically handicapped persons, so also the authorities shall keep in mind the provisions of the **Rights of Persons with Disability Act, 2016** and would also take note of the circular of the State Government dated 30.08.2010 dealing with the issue of transfer of the physically handicapped person.
5. With the aforesaid observations, the present writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge

Ved