

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 6751 of 2019

Suraj Prashad Vasudeo S/o Shri Ganesh Prashad Vasudeo, Aged About 37 Years, Posted As Rural Agriculture Extension Officer, Vikaskhand Gourela, District Bilaspur Chhattisgarh, R/o Village Navagao, Block Pendra, District Bilaspur, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Its Secretary, Department Of Agriculture Development And Farmer Welfare And Bio-Technology Department, New Mantralaya, Mahanadi Bhavan, Atal Nagar, New Raipur, Village Rakhi, District Raipur Chhattisgarh
2. The Collector Bilaspur, District Bilaspur, Chhattisgarh
3. Director Agriculture, Directorate Agriculture, Vikas Bhavan, New Raipur, Atal Nagar, Raipur District Raipur Chhattisgarh
4. Dy. Director Agriculture, Bilaspur, District Bilaspur, Chhattisgarh

---Respondents

For Petitioner	:	Mr. Yogesh Pandey, Advocate
For State	:	Mr. Chandresh Shrivastava, Dy. A.G.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

03.09.2019

1. The challenge in the present Writ Petition is to the order Annexure P-3 dated 22.08.2019, whereby the petitioner has been transferred from the Office of Senior Agriculture Development Officer, Block Gourela, District Bilaspur to the Office of Joint Director, Agriculture, District Baloda Bazar.

2. The contention of the petitioner is that he is a disabled person and has been given appointment under the disabled quota and that he has more than 48% disability as is evident from the disability certificate Annexure P-1 issued by the District Medical Board.
3. Given the fact that the petitioner is a disabled (Divyang) person having more than 48 percent disability, let the petitioner make a detailed representation to the Respondent No. 1 and the Respondent No. 1 while deciding the representation should consider the aspect of protection granted to the physically handicapped persons in the transfer policy and shall also keep in mind the provisions of the Persons with Disability Act, 2016. In addition, the State Government would also consider the circular dated 30.08.2010 so far as the persons with disability are concerned.
4. Till the respondent no.1 takes a decision, the effect and operation of the impugned order so far as the petitioner is concerned shall remain stayed.
5. With the aforesaid observations, the present Writ Petition stands disposed off.

**Sd/-
(P. Sam Koshy)
Judge**