

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS. No. 7104 OF 2019**

Neel Kamal Garg S/o Shri R.S.D. Garg Aged About 59 Years Agricultural Development Officer, Office Of Senior Agricultural Development Officer, Marwahi, District Bilaspur, Address- C/o Smt. Jaya Agrawal, Durganagar Ward 4, Lingiyadih, Rajkishore Nagar, District Bilaspur, Chhattisgarh

---- **Petitioner**

Versus

1. State Of Chhattisgarh Through Its Deputy Secretary, Agricultural Development And Farmer Welfare And Biotechnology Mantralaya, Mahanadi Bhawan, Atal Nagar, Nawa Raipur, Chhattisgarh
2. The Director (Agriculture) Directorate Of Agriculture, Raipur, Chhattisgarh.
3. The Deputy Director (Agriculture) Bilaspur, District Bilaspur, Chhattisgarh.
4. Senior Agricultural Development Officer Marwahi, District Bilaspur, Chhattisgarh.
5. Sub Divisional Agriculture Officer Bilaspur, District Bilaspur, Chhattisgarh.
6. The Deputy Director (Agriculture) Jashpur, District Jashpur, Chhattisgarh

---**Respondent(s)**

For Petitioner	:	Mr. Ashish Surana, Adv.
For State	:	Mr. Ashutosh Mishra, P.L.

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

06.09.2019

1. The challenge in the present Writ Petition is to the order (Annexure-P/1) dated 22/08/2019 whereby the services of the petitioner has been transferred from Marwahi, District Bilaspur to District Jashpur.
2. The Contention of the petitioner is that he is 59 years old, as per the transfer policy of the State Government, the person who is old aged more than 55 years should not be posted to a scheduled area as far as possible. At this stage of his service career, petitioner should not have been transferred.
3. The further contention of the petitioner is that there was already a request made by the petitioner for being transferred to some other

place nearby Bilaspur so that he could take care his ailing father who is more than 90 years but the said application has not been considered and the impugned order has been passed showing to be transferred on administrative exigency

4. Given the aforesaid facts, let the petitioner make a representation to the respondent No. 1 within a period of 10 days' from the date of receipt of copy of this order and respondents in turn shall decide the representation within further period 45 days' from the date of receipt of representation of the petitioner.
5. Till the representation is decided, there shall be a stay of the effect and operation of the order so far as the petitioner is concerned.
6. The writ petition stands disposed off.

Sd/-

(P. Sam Koshy)
Judge