

HIGH COURT OF CHHATTISGARH, BILASPUR**WRIT PETITION (S) NO.7152 OF 2019**

1. Dulel Ram Kunjam S/o Late Shri Manohar Ram Kunjam Aged About 51 Years Presently Posted As - Laboratory Attendant At Government Digvijay College, Rajnandgaon, R/o Government Digvijay College Campus, Rajnandgaon, District - Rajnandgaon, Chhattisgarh.

...Petitioner(s)**Versus**

1. State Of Chhattisgarh Through - The Secretary, Higher Education Department, Mahanadi Bhawan, Naya Raipur, Police Station Rakhi, Tahsil And District - Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
2. The Director Higher Education Department, Mahanadi Bhawan, Naya Raipur, Police Station Rakhi, Tahsil And District - Raipur, Chhattisgarh.
3. The Commissioner Higher Education Department, Mahanadi Bhawan, Naya Raipur, Police Station Rakhi, Tahsil And District - Raipur, Chhattisgarh.
4. The Collector Rajnandgaon, District - Rajnandgaon, Chhattisgarh.
5. The Principal Government Digvijay Autonomous Postgraduate College, Rajnandgaon, District - Rajnandgaon, Chhattisgarh.

... Respondent(s)

For Petitioner	:	Shri Rajat Agrawal, Advocate.
For Respondent-State	:	Shri P. Acharya, Panel Lawyer.

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 of transfer dated 21.08.2019 whereby the petitioner has been transferred from Rajnandgaon to Dhamtari.
2. The challenge is on the ground that the petitioner is a disabled person suffering from more than 45 percent disability as is evident from the disability certificate issued by the District Medical Board dated 31.03.2012. The contention of the petitioner is that, by way of the impugned order the petitioner is being transferred to a far place and being a handicapped person the petitioner would find it difficult to reach the transferred place and attend the duties.
3. Given the aforesaid facts, let the petitioner make a detailed representation in this regard to the respondents within a period of 10 day from today, and

the respondents, in turn, shall consider and decide the same at the earliest preferably within a further period of 45 days. Till the representation of the petitioner is decided, the effect and operation of the impugned order so far as petitioner is concerned, shall remain stayed.

4. It is made clear that while deciding the representation of the petitioner, the concerned respondent would also keep in mind the transfer policy of the State Govt. so far as dealing with the disabled persons are concerned and shall also keep in mind the provisions of the Persons with Disability Act, 2016.
5. The writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge