

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 7497 of 2019

Vyasnarayan Sahu S/o Shri Peetram Sahu Aged About 40 Years Data Entry Operator, Office Of The Collector (Land Records) Rajnandgaon, Resident Of House No. 110, Ward No. 18, Pendri, District Rajnandgaon, Chhattisgarh., District : Rajnandgaon, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Revenue And Disaster Management, Mahanadi Bhawan, Mantralaya, Atal Nagar, Nawa Raipur, District Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
2. The Collector (Land Record Branch) Rajnandgaon, District Rajnandgaon, Chhattisgarh., District : Rajnandgaon, Chhattisgarh
3. Shri Jyotirmay Tiwari, Data Entry Operator, Office Of The Tahsildar, Khairagarh, District Rajnandgaon, Chhattisgarh., District : Rajnandgaon, Chhattisgarh

---Respondents

For Petitioner	:	Mr. S.B. Pandey, Advocate
For State	:	Mr. Ashutosh Mishra, P.L.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

19/09/2019

1. The challenge in the present writ petition is to the order Annexure P/1 dated 20.12.2018, whereby the petitioner has been transferred from the office of Collector (Land Record Branch), Rajnandgaon to the office of Tahsildar, Khairagarh, District Rajnandgaon.
2. The challenge of the present petitioner is that the petitioner is a handicapped person and is suffering from more than 60% of disability as it evident from Annexure P/3, which is a disability certificate issued by the District Medical Board, District Hospital, Rajnandgaon.
3. Given the fact that the petitioner is a disabled (Divyang) person suffering from more than 60% of disability, let the petitioner make a detailed representation to the respondent No. 1 within a period of 10 days from the date of receipt of the copy of this order and the respondent No.1 in turn

shall decide the same within a further period of 45 days from the date of receipt of the representation. While deciding the representation should consider the aspect of the protection granted to the physically handicapped persons in the transfer policy and shall also keep in view the provisions of the Persons with Disability Act, 2016. In addition, the State Government would also consider the circular dated 30.08.2010 issued, so far as the transfer of persons with disability are concerned. Till the representation of the petitioner is decided, the effect and operation of the impugned order shall remain stayed, if he has not been relieved till now.

4. With the aforesaid observations, the present writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge

Ved