

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 7624 of 2019**

Ram Pravesh Singh S/o Late Ram Nagina Singh, Aged About 57 Years, Presently Posted As Head Clerk In The Office Of The Chief Medical And Health Officer, Ambikapur, District- Surguja, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Health Mahanadi Bhawan, Atal Nagar, Raipur, District- Raipur, Chhattisgarh
2. Director, Health Services, Indrawati Bhawan, Atal Nagar Nawa Raipur, District- Raipur, Chhattisgarh
3. Chief Medical And Health Officer, Ambikapur, District- Surguja, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Shashank Thakur with Mr. Jitendra Shrivastava, Advocates
For State	:	Ms. Sunita Jain, Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****17.09.2019**

1. The challenge in the present writ petition is to the order of transfer dated 23.08.2019 Annexure P-1 whereby the petitioner has been transferred from Sarguja to Jashpur.
2. The challenge is on the ground that the petitioner is more than 57 years age and as per the transfer policy, beyond 55 years, the employee should not be transferred to a scheduled area. The contention of the petitioner is that

right from the time of appointment the petitioner is working in a scheduled area and if at all if the respondents intended to transfer the petitioner, they should have transferred him to a non-scheduled area.

3. Given the aforesaid facts, let the petitioner make a detailed representation to the respondents within 10 days from the date of receipt of certified copy of this order and the respondents in turn shall consider the same within a period of 45 days from the date of receipt of the representation.
4. Till the representation of the petitioner is decided, the effect and operation of the impugned order so far as the petitioner is concerned shall remain stayed. The respondents would also be at liberty to modify the transfer order, if required.
5. With the aforesaid observation, the writ petition stands disposed of.

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