

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No. 7819 of 2019

Suryakant Gupta S/o Late Shri C.M Gupta Aged About 49, Years posted as Project Officer, Integrated Child Development Scheme, Bilha-2, Sarkanda, Bilaspur, District Bilaspur Chhattisgarh.

---- Petitioner(s)

Versus

1. State of Chhattisgarh Through Secretary, Women and Child Development Department, Mahanadi Bhawan, New Raipur District Raipur Chhattisgarh.
2. Director Women and Child Development Department, Indrawati Bhawan, New Raipur District Raipur Chhattisgarh.
3. Smt. Reena Bajpayee Posted as Project Officer, Integrated Child Development Scheme, Korba, District Korba Chhattisgarh.

---Respondents

For Petitioner	:	Shri Anup Majumdar, Advocate.
For State	:	Shri P. Acharya, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

25.09.2019

1. Challenge in the present writ petition is to the order of transfer dated 21.08.2019 whereby the petitioner has been transferred from Bilha, Bilaspur to Bastanar, Bastar.
2. The limited grievance that the petitioner has, is that, the persons who are much junior to the petitioner have been kept at the departmental headquarter and are posted as Assistant Directors whereas, the petitioner inspite of being senior is being transferred to a place on the post of Project Officer. The contention of the petitioner is that, the State Govt. itself has taken a policy decision on 14.07.2014 (Annexure P/2) to avoid handing over charge to junior persons bypassing the senior persons.
3. Given the said facts and circumstances of the case, the writ petition at this juncture stands disposed of directing the respondent No.1 to consider this aspect as to whether juniors to the petitioner and lower in rank to the petitioner have been posted as Assistant Directors in the department or

not and if it is, whether it would be justified in the light of the order dated 14.07.2014 (Annexure P/2), the policy decision of the State Govt. itself.

4. Let an appropriate decision be taken in this regard within a period of 90 days from today to avoid such a situation, or else, a situation would arise where the junior persons in the helm of hierarchy would be supervising the functions of the persons who are senior in rank and in service.
5. Let a copy of this order be sent to the Chief Secretary of the State to ensure that such a situation does not arise in the other department also.
6. With the aforesaid observations, the writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

inder