

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 7704 of 2019**

Dayaram Dhruw S/o Shri Mukhram Dhruw Aged About 56 Years Rural
Agriculture Extension Officer Block- Patharia, District- Mungeli,
Chhattisgarh., District : Mungeli, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary To The Govt. Of Chhattisgarh, Agriculture Department Mantralya, Mahanadi Bhawan, Atal Nagar, Ps.- Rakhi, Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
2. Deputy Director Department Of Agriculture- Mungeli, District- Mungeli, Chhattisgarh., District : Mungeli, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. A. D. Shrivastava, Advocate
For State	:	Mr. P. Acharya, PL

Hon'ble Shri Justice P. Sam Koshy**Order on Board****18/09/2019**

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 a Class-III employee working as a Rural Agriculture Development Extension Officer has been transferred from Mungeli to Bijapur.
2. According to the petitioner his wife is also posted at the present place of posting i.e. at District Mungeli. As per the transfer policy of the State Government spouse of a government employment should be accommodated as far as possible in the same place. Second ground of challenge is that petitioner is aged more than 56 years and as per the scheduled area policy of the State Government, the employees/officers who are more than 55 years of age should not be sent to a scheduled area whereas in the instant case the

petitioner is being sent to a core scheduled area. Last ground of challenge is that mother of the petitioner is aged about 89 years and is confined to a wheel chair, she is dependent upon the petitioner's family. Therefore, at this juncture the petitioner would face great difficulty if the order of transfer is complied with.

3. Given the aforesaid facts, let petitioner make a detailed representation to the respondents within a period of 10 days from the date of receipt of copy of this order and respondents in turn shall decide the same within a further period of 45 days.
4. 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.
5. With the aforesaid observations, the writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

Rohit