

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 8327 of 2019**

Sanjay Padhi S/o Late A.P. Padhi, Aged About 57 Years Presently
Working As Assistant Fisheries Officer In The Office Of Dy.
Director Fisheries Jagdalpur, Block Baster, District Jagdalpur, R/o
Shiv Mandir Ward P.O. Jagdalpur District Jagdalpur, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Department Of Fisheries, Mahanadi Bhawan, New Raipur, Atal Nagar, District Raipur Chhattisgarh
2. Under Secretary, Department Of Fisheries, Mahanadi Bhawan, New Raipur, Atal Nagar, District Raipur Chhattisgarh
3. Director, Directorate Of Fisheries, Indravati Bhawan 4th Floor B-Block New Raipur Atal Nagar, Raipur Chhattisgarh
4. Dy. Director, Department Of Fisheries, District Baster, Jagdalpur Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Satish Gupta, Advocate
For State	:	Mr. Chandresh Shrivastava, Dy. A.G.

Hon'ble Shri Justice P. Sam Koshy
Order on Board

04/10/2019

1. The challenge in the present writ petition is to the order of transfer dated 23.08.2019 passed by the respondents transferring the petitioner from Jagdalpur to Bijapur.
2. Contention of the petitioner is that the petitioner has been working in the scheduled area continuously for a period of more

than 25 years. Under the scheduled area policy of the State Government, if at all required, the petitioner should have been transferred to any scheduled area. Counsel for the petitioner submits that he has instructions to state that petitioner is ready to go to any non scheduled area in the State. Counsel for the petitioner further submits that the age of the petitioner is 57 years and therefore also he should be shifted from the scheduled area to a non scheduled area.

3. Given the aforesaid facts and circumstances of the case, subject to the petitioner making a representation within 10 days from the date of receipt of copy of this order, the respondent authorities are expected to consider the representation of the petitioner. That it is expected that respondents would accede to the request for being transferred to a non scheduled area at the earliest preferably within a further period of three weeks from the date of receipt of representation of the petitioner. For modifying the place of transfer of the petitioner to a non scheduled area, requirement of the formalities as stipulated under the transfer policy would not be required as the same would be made as per the order passed by this Court.
4. Till the respondents take a decision on the representation of the petitioner, if he files so within a period of 10 days from the day the copy of the order is received, let status quo as it exists today be maintained so far as the petitioner's posting is concerned. If petitioner does not file a representation promptly the order passed by this Court would lose its efficacy.
5. The present Writ Petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge