

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 8585 of 2019**

- Santosh Kumar Sonwane S/o Shri Dhani Ram Sonwane Aged About 47 Years Working As Sub-Engineer, Public Works Department (B/R) Rajnandgaon Division And District Rajnandgaon Chhattisgarh

---- Petitioner**Versus**

1. State of Chhattisgarh Through The Secretary, Public Works Department Mahanadi Bhawan, Atal Nagar Nawa Raipur Chhattisgarh
2. Executive Engineer Public Works Department (B/R) , Division And District Rajnandgaon Chhattisgarh

---- Respondents

For Petitioner : Shri Somkant Verma, Advocate

For Respondents/State : Shri Sudhir Sahu, PL

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****17/10/2019**

1. Heard.
2. The grievance of the petitioner is that the petitioner was initially appointed in the year 2008 on the post of Sub-Engineer in the office of Executive Engineer, PWD, Sukma. After serving for 11 years at Sukma, which is a core scheduled area, the petitioner was transferred in the month of August, 2017 to Rajnandgaon. Again by order dated 16.08.2019 the petitioner has been transferred to core scheduled area Sukma.
3. Learned counsel for the petitioner would submit that according to the policy of

the State once a person has served in the core scheduled area then normally he is not sent back in the same core scheduled area to accommodate the others, therefore, it is stated that according to the transfer policy, the transfer of the petitioner should not have been made again to the core scheduled area when he has already served more than 11 years.

4. Perused the documents and the different directions given by the State with respect to the transfer which is filed as Annexure P-3.
5. Considering the aforesaid facts, it is directed that the petitioner shall make afresh representation before the concerned respondent in this regard within a period of two weeks from today and the said respondent in turn shall consider and decide the same in accordance with the transfer policy at the earliest preferably within a further period of 45 days. Till the representation of the petitioner is decided, if the transfer order is not carried out, the effect and operation of the order dated 16.08.2019 shall remain stayed so far as the petitioner is concerned.
6. With the aforesaid observation, the writ petition stands disposed of.

Sd/-

Goutam Bhaduri
Judge