

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 8717 of 2019**

- Khushank Gurjar Chauhan S/o Sushil Govind Ji Chauhan, Aged About 28 Years R/o Behind Vinay Hotel Ward No. 09, Manendragarh, District- Koriya, Chhattisgarh

---- Petitioner**Versus**

1. State of Chhattisgarh Through The Chief Secretary Government Of Chhattisgarh, New Mantralaya, Mahanadi Bhawan, Atal Nagar Raipur, District- Raipur, Chhattisgarh
2. State of Chhattisgarh Through The Secretary, Department Of Labour, New Mantralaya, Mahanadi Bhawan, Atal Nagar, Raipur, District- Raipur, Chhattisgarh
3. Collector Koriya, District- Koriya, Chhattisgarh
4. Assistant Labour Officer Koriya, District- Koriya, Chhattisgarh

---- Respondents

For Petitioner : Shri Sachin Singh Rajput, Advocate

For Respondent/State : Shri Alok Bakshi, Addl. AG

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****22/10/2019**

1. Heard.
2. The grievance of the petitioner is that the petitioner was appointed as Assistant Grade-III, thereafter, he was posted in the scheduled area Koriya in the office of Labour Inspector and by the impugned order dated 14.08.2019 (Annexure P-1) the petitioner has now been transferred from Koria to Jashpur, which is also a scheduled area.

3. It is contended that as per the clause 1.3 of the transfer policy, once a person has served more than three years in a scheduled area, he is required to be posted outside the scheduled area. Therefore, under the circumstances, the petitioner may not be transferred to the other scheduled area.
4. Perused the documents. The documents would show that the petitioner was placed at Korla, which is a scheduled area and he has been transferred to other scheduled area at Jashpur. The transfer policy shows that normally after performing duty in the scheduled area, the person may be posted outside the scheduled area. Considering this fact, the petitioner is directed to make afresh representation in this regard within a period of three weeks from today before the concerned respondent 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, the transfer order of the petitioner shall not be given effect to.
5. With the aforesaid observation, the writ petition stands disposed of.

Sd/-

Goutam Bhaduri
Judge