

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 9396 of 2019**

- Shiv Kumar Bhagat S/o Shri Virendra Bhagat Aged About 34 Years Presently Working As Rural Agriculture Extension Officer Posted At Block Ambikapur, District Surguja, Chhattisgarh

---- Petitioner**Versus**

1. State of Chhattisgarh Through The Secretary, Agriculture Department, Mantralaya, Mahandi Bhawan, Atal Nagar Raipur, District Raipur, Chhattisgarh
2. Director Directorate, Agriculture Department, Indrawati Bhawan, Atal Nagar Raipur, District Raipur, Chhattisgarh
3. Collector Ambikapur, District Surguja, Chhattisgarh

---- Respondents

For Petitioner : Shri CJK Rao, Advocate

For Respondents/State : Shri Amrito Das, Addl. AG

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****19/11/2019**

1. Heard.
2. The grievance of the petitioner is that the petitioner was transferred by order dated 22.08.2019 his name appears at two places in the transfer order i.e. at serial No.36 & 176, however, subsequently, the amendment was made by order dated 16.10.2019 whereby the transfer which was shown at serial No.176 was maintained i.e. from Ambikapur to Surajpur.
3. Learned counsel for the petitioner would submit that the wife of the petitioner is pregnant and is due for delivery, therefore, the minimum protection be granted

to the petitioner for certain period of time.

4. Learned State counsel would submit that the transferred place is at the distance of less than 50 kms.
5. Considering the fact that it is not in dispute that the distance of the transferred place is not more than 50 Kms. and only the transfer has been made from Ambikapur to Surajpur, I do not find that the transfer has been made against the transfer policy as the transfer is an incidence of service, consequently, I am not inclined to interfere with the same. However, the petitioner is given liberty to make a representation in this regard before the State within a period of three weeks from today and the State shall decide the same on its own merits at the earliest.
6. With the aforesaid observation, the writ petition stands disposed of.

Sd/-

Goutam Bhaduri
Judge