

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 9320 of 2019**

- Chhat Ram Dewangan S/o Late Duij Ram Dewangan, Aged About 52 Years R/o Village Sarkhon, District - Janjgir - Champa Chhattisgarh. Posted As Trainee Officer Grade - III Government Industrial Training Institute Keshkal, District - Kondagaon Bustar Chhattisgarh

---- Petitioner**Versus**

1. State of Chhattisgarh Through Secretary, Technical Education And Employment, Skill Development Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, New Raipur, District : Raipur, Chhattisgarh
2. Secretary General Administration Department Mantralaya, Mahanadi Bhawan, Atal Nagar, New Raipur, District : Raipur, Chhattisgarh
3. Director, Directorate, Employment and Training, Chhattisgarh, Indrawati Bhawan, Block No. 4, First Floor, New Raipur, District : Raipur, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Uttam Pandey, Advocate
For Respondents/ State	:	Ms. Richa Shukla, Dy. G.A.

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****15/11/2019**

1. The grievance of the petitioner is that the petitioner is handicapped to the extent of 80% as his hands are amputated. He is not able to drive any vehicle. It is contended that the petitioner is working in the ITI Keshkal, District – Kondagaon, and on his application he has been transferred to ITI Dabra, District – Janjgir-Champa.
2. It is contended that the ITI, Dabra building is situated 5 kilometers away and there is no means are available to communicate, since, the petitioner cannot drive any vehicle as he has to suffer extreme hardship, therefore, his transfer may be considered and he may be placed near his birth place.

Learned counsel for the petitioner would submit that as per the transfer order dated 14.06.2019, the said order was not carried out and still the petitioner is working at Keshkal. He further submitted that as per the transfer policy in para 1.7, if the employee is disabled, the placement should be made where he can communicate easily.

3. Perused the documents. Considering the peculiar situations and Annexure-P-2, the disability certificate wherein, it shows that the petitioner is disabled of 80% and his arms were amputated and further taking into consideration the facts that on the earlier round of litigation, the petitioner had filed an application to decide a representation.
4. The application of the petitioner may be reconsidered, specially considering the fact that he is disabled to extent of 80%, said application may be decided within a period of 60 days, from the date of receipt of this order. In the meanwhile, if the earlier transfer order has not been executed, the same may be acted up on, till the representation is decided.
5. The writ petition accordingly stands disposed of.

Sd/-

(Goutam Bhaduri)
Judge