

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 9797 of 2019**

- Dr. Mahesh Chandra Sharma S/o Shri Ramji Lal Sharma Aged About 64 Years Principal, Government Danveer Tularam, Post Graduate College, Utai, District Durg, Chhattisgarh. R/o B-533/4, Smriti Nagar, Bhilai, District Durg, Chhattisgarh

---- Petitioner**Versus**

1. State of Chhattisgarh Through The Secretary, Department Of Higher Education, Mantralaya, Mahanadi Bhawan, Naya Raipur, Atal Nagar, District Raipur, Chhattisgarh
2. Director Directorate Of Higher Education, Indrawati Bhawan, Block-3, First Floor, Naya Raipur Atal Nagar, District Raipur, Chhattisgarh.
3. Dr. Komal Singh Sardha Graduate Principal, Government Bhanu Pratap Dev Post Graduate College Kanker, District North Bastar Kanker, Chhattisgarh

---- Respondents

For Petitioner : Shri S.S. Rajput, Advocate

For Respondents/State : Shri Avinash Singh, PL

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****29/11/2019**

1. Heard.
2. The grievance of the petitioner is that the petitioner has been transferred from Government Danveer Tularam Post Graduate College, Utai, District Durg to Government Bhanu Pratap Dev Post Graduate College, Kanker, District North Bastar Kanker (C.G.) by order dated 11.11.2019.
3. It is contended that according to the date of birth of the petitioner, the petitioner is at the fag end of his service and only 1 year & 8 months are left in his

retirement and as per the policy of the State the person who crosses the age of 55 years they are to be placed in their hometown and the petitioner has been transferred from non-scheduled area to scheduled area which should not be done at the fag end of the service. The reference is further made to the fact that the wife of the petitioner is working at Durg as per Annexure P-4 and as per the policy of the State husband & wife are normally kept at one place apart from that the petitioner has suffered the brain hemorrhage and is at the advance age. It is further contended that respondent No.3 himself has comedown to the place of the petitioner without the petitioner being relieved. Consequently, the transfer of the petitioner may be canceled.

4. I have heard learned counsel for the petitioner and perused the documents.
5. The documents shows that only 1 year & 8 months are left in the retirement of the petitioner and the wife of the petitioner is working at Durg. Considering the same and also taking into the age of the petitioner and the various medical documents, the petitioner is given liberty to make a detailed representation before the grievance redressal committee within a period of 15 days from today and the committee in turn shall consider and decide the same in accordance with the transfer policy at the earliest preferably within a further period of 60 days from the date of receipt of the representation. Till the representation of the petitioner is decided, the transfer of the petitioner dated 11.11.2019 in respect of the petitioner shall not be given effect to.
6. With the aforesaid observation, the writ petition stands disposed of.

Sd/-

Goutam Bhaduri
Judge