

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 9656 of 2019**

- Smt. Ranjana Trivedi, W/o. Anil Kumar Trivedi, Aged About 51 Years, Presently Posted As Supervisor At Integrated Child Development Project, Bilaspur District Bilaspur. R/o. AS-99, Asma Delux Home, Sakri Bilaspur District Bilaspur Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh, Through The Secretary Department Of Women And Child Development Mantralaya Atal Nagar Raipur District Raipur Chhattisgarh
2. Under Secretary Department Of Women And Child Development, Mantralaya, Atal Nagar Raipur District Raipur Chhattisgarh
3. Commissioner Women And Child Development Department, Indrawati Bhawan, Atal Nagar Raipur District Raipur Chhattisgarh
4. Collector Bilaspur District Bilaspur Chhattisgarh
5. District Project Officer Women And Child Development District Bilaspur Chhattisgarh

---- Respondents

For Petitioner	:	Shri Ishan Verma, Advocate
For Respondents/ State	:	Shri Soumya Rai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****02/12/2019**

Heard.

1. This is second round of litigation. The petitioner has been transferred from Integrated Child Development Project, Bilaspur to Integrated Child

Development Project, Mainpur, District Gariyaband. In the earlier round of litigation in WPS No. 7007 of 2019 this Court on 03.09.2019 has passed the following orders:-

2. The contention of the petitioner is that her husband is posted at Bilaspur and as per the transfer policy, as far as possible husband and wife should be retained at the same place. The second ground of challenge is that from 2010 to 2014 the petitioner has already worked in District Bastar and thereafter, the petitioner should have been sent to a non-scheduled area whereas the petitioner is now again being sent to a scheduled area which is a violation to the transfer policy of the State.

3. Given the aforesaid facts, let the petitioner make a detailed representation to the respondents within a period of 10 days from today and the respondents in turn shall consider the same within a further period of 45 days from the date of receipt of the representation.

4. Till the representation of the petitioner is decided, the effect and operation of the impugned order so far as the petitioner is concerned shall remain stayed.

5. With the aforesaid observation, the writ petition accordingly stands disposed of.

2. Subsequently, the petitioner has made a representation, however, the same has been rejected by order dated 11.11.2019. It is contended that the grounds raised in the representation has not been considered and mechanically the orders has been passed. Therefore, the order of rejection of representation of the petitioner dated 11.11.2019 may be stayed.

3. Perused the order and also the grounds of representation made in the earlier round of litigation, this Court while deciding the case on 03.09.2019 after consideration of the grounds has passed the orders which necessary includes that the grounds raised in the representation required to be considered.

4. Perusal of the Annexure P-1 shows that the grounds though raised by the representation before the Secretary, the same has not been considered as the order Annexure P-1 do not confer to the same.
5. Considering the issue, since earlier order has been passed by this Court the matter is remitted back to the Secretary to decide the representation, considering the grounds raised in the representation within a period of 45 days from the date of receipt of a copy of this order. The petitioner is required to file a copy of this order within a period 1 week.
6. In the meanwhile, the transfer order of the petitioner if has not been given effect to shall remain stayed till the representation is decided.
7. Accordingly, the petition stands disposed of.

Sd/-

Goutam Bhaduri
Judge

Jyoti