NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 9932 of 2019

- Raj Rishi Rai, S/o Late H.S. Rai, Aged About 57 Years, Working As Deputy Superintendent Of Jail, Central Jail, Durg, District Durg, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh, Through The Under Secretary, Home Police Department, Mantralaya, Atal Nagar, Nawa Raipur, Chhattisgarh
2. The Director General, Jail and Sudharatmak Services, Chhattisgarh, Raipur, Chhattisgarh
3. The Superintendent Of Jail, Central Jail, Durg, District Durg, Chhattisgarh
4. J. L. Meshram, working as Deputy Superintendent Of Jail, District Jail, Rajnandgaon (Presently Posted at Sub-Jail, Bijapur), District Bijapur, Chhattisgarh

---- Respondents

For Petitioner — Shri Goutam Khetrapal, Advocate
For Respondent-State — Ms. Akanksha Jain, Dy. GA

Hon'ble Justice Shri Goutam Bhaduri

Order On Board

29/11/2019

1. The grievance of the petitioner is that he has been transferred from Central Jail, Durg to Sub Jail, Bijapur on administrative ground.

2. It is contended that the transfer has been made against the policy of the State Government, as Bijapur is a core scheduled area. As per Clause 1.5 of the Transfer Policy dated 03.06.2015, as far as

possible, the persons, who have completed 55 years of age, may not be posted to a core scheduled area. It is further contended that despite the petitioner having completed 55 years of age, he has been transferred to a scheduled area, which is against the transfer policy of the State Government.

3. It is respectfully submitted that the petitioner received a letter dated 22.10.2019 (Annexure-P-5) issued by the respondent No.1, wherein the consideration took place and the petitioner's prayer to be transferred him from Central Jail, Durg to Central Jail, Raipur has been denied, though the petitioner has not made any representation. It was probably for the reason that the person, who is to be transferred from Bijapur, has been relieved without any reliever and it is causing great hardships and damages to the petitioner.

4. I have heard learned counsel for the parties and perused the documents filed by the petitioner.

5. The documents, as filed by the petitioner, show that on certain level the case of the petitioner was considered in his absence and one J. L. Meshram, who was posted at Sub Jail Bijapur, has been transferred in place of the petitioner i.e. at Central Jail, Durg on his own request and thus, the same aspect has to be considered. Therefore, the petitioner is given liberty to make a representation before the Grievance Redressal Committee within a period of 15 days from today and the said Grievance Redressal Committee shall consider and decide the representation of the petitioner within a further period of 60 days from the date of filing of the representation.

6. The writ petition stands disposed of with the aforesaid observation.

Sd/-
(Goutam Bhaduri)
Judge

Nirala