

HIGH COURT OF CHHATTISGARH AT BILASPUR**W.P.(S) No. 9992 of 2019**

Amleshwar Gupta, S/o. Jhariya Sao, Aged About 47 Years, Working As Assistant Grade-3 And Posted At Project And Women And Child Development Department, Sanna, Bagheecha-2, Jashpur, District Jashpur Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh, Through Secretary/ Avar Secretary, Department Of Women And Child Development, Mahanadi Bhawan, Mantralaya, Atal Nagar, New Raipur, District Raipur Chhattisgarh
2. Collector, Jashpur, District Jashpur Chhattisgarh
3. District Program Officer, Women And Child Development Department Jashpur, District Jashpur Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Vinod Kumar Tekam, Advocate
For State	:	Mr. Soumya Rai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri**Order on Board****02.12.2019**

1. Grievance of the petitioner is that the petitioner has been transferred from Child Development Project Sanna (Bageecha-2) District Jashpur to Child Development Project Pratappur, District Surajpur.
2. It is contended that the said transfer order is against the transfer policy as the transfer has been made against the Clause 1.1 which requires that the transfer of Class-III employee would be made after the recommendation of the In-charge Minister and endorsement by the Collector. However, in this case, by Annexure P-4 the concerned Minister has recommended not to relieve the petitioner. He further submits that the petitioner is also holding the additional charge of Bageecha and the petitioner has already made a representation to the Grievance Redressal Committee of the State, therefore, the transfer of the petitioner since against the policy may be canceled.

3. Perused the documents as also one recommendation which has been made not to relieve the petitioner and the petitioner contends that the said recommendation for cancellation is endorsed by the concerned Minister. Taking into such fact and Clause 1.1 of the policy dated 27.06.2019, the petitioner is given liberty to make a fresh representation within a period of 15 days to the Grievance Redressal Committee and the Committee in turn shall decide the same within an outer limit of 45 days from the date of receipt of the representation. Till then, the transfer of the petitioner shall not be given effect to, if it has not been carried out till date.
4. With such observation, the petition stands disposed off.

Sd/-
(Goutam Bhaduri)
Judge

Ashok