

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 10498 of 2019

- Nitesh Bhawal, S/o Shri Subhash Bhawal, Aged About 34 Years Working As Rural Agriculture Extension Officer, At Office Of Senior Agriculture Development Officer, Durgukondal, District Kanker Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh, Through The Secretary, Agriculture Development And Formar Welfair And Bio-Technology, Department, Mahanadi Bhawan, New Raipur (Chhattisgarh)
2. Dy. Director, Agriculture, Kanker, District Kanker Chhattisgarh

---- Respondents

For Petitioner	:	Shri Somkant Verma, Advocate
For Respondents/ State	:	Shri Kapil Maini, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

12/12/2019

Heard.

1. The grievance of the petitioner is that the petitioner has been transferred from Office of Senior Agriculture Development Officer, Block Durgukondal, District Kanker to Office of Dy. Director Agriculture, District Bijapur.
2. It is contended that the petitioner has already served for more than 7 years in core Scheduled area i.e. at Durgkondal and he has again been transferred to Bijapur which is also a core scheduled area. It is further contended that as per Clause 2.1 of the transfer policy the person who have already served in a core scheduled area after 2 or 3 years they are required to be placed at non scheduled area. It is further contended that the petitioner has already served for more than 7 years in a core Scheduled

area and he cannot be again transferred to core scheduled area. Therefore, his transfer may be cancelled.

3. Perusal of Clause 2.1 of the transfer policy dated 03.06.2015 shows normally the person who has served at core scheduled area for more than 2 years they are required to be posted at non core scheduled area. Taking into such fact, the petitioner is given liberty to make a representation before Respondent No. 1 within 15 days from today. The representation so made shall be decided within 45 days from the date of receipt of a copy of this order. Since the transfer order is dated 22.08.2019, if it has not been acted upon till date as considerable time has been passed there shall be stay of the transfer order in respect of the petitioner till the representation is decided.
4. With the aforesaid observation, the petition stands disposed of.

Sd/-

Goutam Bhaduri
Judge

Jyoti