

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 10652 of 2019**

- Ghanshyam, Son of late Vishal Nath Kashyap, aged about 61 years, resident of Village Salkhan, Tahsil Nawagarh, District Janjgir Champa (C.G.)

---- Petitioner**Versus**

1. State of Chhattisgarh Through Secretary, Department of Panchayat and Rural Development, Mahanadi Bhawan, Mantralaya, Atal Nagar, New Raipur, District Raipur Chhattisgarh
2. Commissioner Bilaspur, Division Bilaspur, Chhattisgarh
3. Director Panchayat Directorate Panchayat Indirawati Bhawan, New Raipur, District Raipur Chhattisgarh
4. Chief Executive Officer, Zila Panchayat Janjgir District Janjgir Champa Chhattisgarh
5. Chief Executive Officer, Janpad Panchayat Nawagarh District Janjgir Champa Chhattisgarh
6. Collector, Janjgir Champa, District Janjgir Champa (C.G.)

---- Respondents

For Petitioner	:	Shri Sushobhit Singh, Advocate
For Respondents/State	:	Shri Soumya Rai, PL

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****16/12/2019**

1. Heard.
2. The grievance of the petitioner is that the petitioner has been transferred by order dated 22.08.2019 from the office of Janpad Panchayat Nawagarh to Janpad Panchayat Pamgarh, District Janjgir Champa, on the administrative grounds.
3. It is contended that the petitioner has been shown as Assistant Development Extension Officer whereas the petitioner has already been promoted to the post of Development Extension Officer vide Annexure P-2. It is further contended that the petitioner is going to retire in the month of April, 2020, therefore, the

transfer order is in the gross violation of the transfer policy for the fact that the employee who is left less than one year in retirement he is normally not transferred. Learned counsel for the petitioner would submit that since the transfer of the petitioner is on the lower post, it may create humiliation and at the fag end of service will lead to finalization of the retiral dues, therefore, the transfer order may be canceled.

4. Perused the documents. Perusal of the documents would show that the petitioner has been shown as Assistant Development Extension Officer, whereas the petitioner was promoted on the post of Development Extension Officer in the year 2013. As per Annexure P-3 which is the Higher Secondary School Certificate wherein the date of birth of the petitioner is shown as 01.05.1958, therefore, he is going to retire in the month of April, 2020. Taking into such fact that the petitioner is due for retirement within few months, it is directed that the petitioner shall make a detailed representation in this regard before the Respondent No.1 within a period of four weeks from today and on such representation being filed, the said respondent shall decide the same within a period of 60 days from the date of receipt of the representation. Till then the transfer order dated 22.08.2019 in respect of the petitioner shall not be given effect to.

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

Sd/-

Goutam Bhaduri
Judge