

HIGH COURT OF CHHATTISGARH AT BILASPUR**W.P.(S) No. 182 of 2020**

D.K. Banswar, S/o. Late Shri B.R. Banswar, Aged About 61 Years, Posted As Deputy Director At Directorate, Urban Administration And Development, Raipur, Chhattisgarh. R/o. Vinayaka Vihar Colony, D.D. Nagar, Raipur, Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh, Through- The Secretary, Department Of Urban Administration And Development, Mantralaya, Mahanadi Bhawan, Nawa Raipur, District- Raipur, Chhattisgarh.
2. The Under Secretary, Department Of Urban Administration And Development, Mantralaya, Mahanadi Bhawan, Nawa Raipur, District- Raipur, Chhattisgarh.
3. The Director, Department Of Urban Administration And Development Department, Mantralaya, Mahanadi Bhawan, Nawa Raipur, District- Raipur, Chhattisgarh.

---- Respondents

For Petitioner : Mr. Dharmesh Shrivastava, Advocate

For State/Respondents : Ms. Richa Shukla, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri**Order on Board****10.01.2020**

1. Grievance of the petitioner is that the petitioner has been transferred from Raipur to Dongargarh though he is going to retire in the month of December, 2020.
2. Learned counsel for the petitioner submits that as per clause 1.8 of the transfer policy, the person who are going to be superannuated within a period of one year normally cannot be transferred. It is stated that with the transfer of the petitioner, counting of the retiral dues would be delayed, therefore, the petitioner may not be transferred other than from his home district Raipur.

3. Perused the documents. Perusal of the document Annexure P-4 would show that the petitioner is going to retire in the month of December, 2020, therefore, taking into such fact that less than one year service is left with the petitioner to be superannuated, it is directed that the petitioner shall be at liberty to make a representation before the Grievance Redressal Committee, which is constituted by the State to hear the grievance of transfer, within a period of 15 days 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 the representation is decided, the transfer order dated 28.12.2019 (Annexure P-1) shall not be given effect to.
4. With such observation, the petition stands disposed off.

Sd/-
(Goutam Bhaduri)
Judge

Ashok