

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 869 of 2020

Krishna Matiyara S/o Late B.R. Matiyara, Aged About 61 Years Posted As Assistant Grade - I I, Collector Office (Mining Branch) Korba, District - Korba Chhattisgarh. **--- Petitioner**

Versus

1. State of Chhattisgarh through the Secretary, Department of Mineral Resource, New Mantralaya, Mahanadi Bhawan, Atal Nagar Raipur, District - Raipur Chhattisgarh.
2. Director, Geology And Mineral, Chhattisgarh Indrawati Bhavan, Naya Raipur, Atal Nagar, Raipur, District - Raipur Chhattisgarh.
3. Collector Korba District Korba Chhattisgarh. **Respondents**

For the Petitioner	:	Mr. C. P. Lahrey, Advocate
For Respondent/ State	:	Mr. Soumya Rai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

10.02.2020

Heard.

1. The grievance of the petitioner is that he is going to retire on 31.05.2020 and in the meanwhile, he has been transferred from District Mining Office Korba to District Mining Office Durg. It is contended that as per the transfer policy the person who is left with less than one year for the superannuation is normally not transferred, therefore, at the verge of retirement, if the petitioner is transferred to the other place, his retiral dues will be effected. Consequently, the transfer of the petitioner may be stayed.
2. Perused the transfer policy which is filed as Annexure P-3. The transfer Policy prima facie purports that the persons who are at the verge of retirement or if a period of one year is left for their retirement they are normally not transferred.

As per the Communication dated 09th July 2019 the petitioner is going to retire on 31.05.2020. Considering the same, it is directed that the petitioner may make a representation to the Secretary, Department of Mineral Resources within a period of 3 weeks from today and on such a representation being filed, the same shall be considered and decided within a further period of 60 days. Till then, the transfer order of the petitioner shall not be given effect to.

3. With the above observation/direction, this writ petition stands finally disposed of.

Sd/-
(GOUTAM BHADURI)
JUDGE

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