

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 2061 of 2020**

- Bhagirathi Khandey S/o Shri Sabaru Khandey Aged About 50 Years R/o Near Bus Stand, Sitapur, District Surguja, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Revenue And Disaster Management Department, Mahanadi Bhawan, Mantralaya, Capital Complex, Atal Nagar, New Raipur, District Raipur, Chhattisgarh.
2. Collector Surguja, District Surguja, Chhattisgarh.

---- Respondents

For Petitioner : Shri Manoj Paranjpe, Advocate

For Respondents/ State : Ms. Richa Shukla, Dy. G.A.

Hon'ble Shri Justice Goutam Bhaduri**Order****10/06/2020**

1. Heard.
2. The grievance of the petitioner is that the petitioner was initially transferred on 28.06.2016 to Tehsil Konta, District Sukma. Subsequently on 31.07.2018, he was transferred from Sukma to Mahasamund. He joined at Mahasamund on 07.08.2018, thereafter within 1 year he was again transferred from Mahasamund to Sitapur, District Surguja which is a scheduled area. He joined Sitapur on 14.10.2019. It is contended that thereafter within a period of 5 months he has been again transferred vide order dated 06.03.2020 (Annexure P-1) from Sitapur to Dantewada which is a core scheduled area. It is contended that the said transfer is violation to

the transfer policy dated 03.06.2015 Clause 1.3 & 2.1 which specifically states that the person who has already served at scheduled area shall normally be posted outside the scheduled area. He would further submit that as per the information received on instructions there are 63 Tehsildars who have not yet served at the scheduled area and have managed to be posted at non scheduled area.

3. Perused the documents and heard learned counsel for the parties.
4. Prima facie after perusal of the documents, the transfer appears to be frequent transfer, as the petitioner joined at Sitapur, District Surguja on 14.10.2019 and has again been transferred within 5 months. The transfer policy dated 03.06.2015 states that persons who have served at scheduled area should be considered to be posted at non scheduled area.
5. Taking into such fact that the petitioner has already served at scheduled area, the petitioner is given liberty to make a representation to the Grievance Redressal Committee within 3 weeks from today, thereafter the Grievance Redressal Committee shall decide the representation of the petitioner within a further period of 60 days from the date of receipt of a copy of this order, till then the transfer order dated 06.03.2020 in respect of the petitioner shall not be given effect to.
6. With the aforesaid observation, the petition stands disposed of.

Sd/-

Goutam Bhaduri
Judge