

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 2221 of 2020

- P.L. Upadhyay S/o Late Shri Salikram Upadhyay Aged About 58 Years R/o Near Muktidham Chowk, Sarkanda, Bilaspur, District- Bilaspur, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Agriculture Development And Kissan Welfare And Bio Technology Department, Mahanadi Bhawan, Mantralaya, Nawa Raipur, Chhattisgarh
2. The Director Directorate Agriculture, Krishi Vikas Bhawan, Sector-19, Nawa Raipur, Chhattisgarh
3. The Deputy Director Agriculture Bilaspur, District- Bilaspur, Chhattisgarh.,
4. The Senior Agriculture Development Officer Block-Kota, District- Bilaspur, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Goutam Khetarpal, Advocate
For State	:	Mr. Amrito Das, Addl. A.G.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

08/06/2020

1. Heard
2. The grievance of the petitioner is that the petitioner has been promoted from the post of Agriculture Development Officer to the post of Senior Agriculture Development Officer vide impugned order dated 27.02.2020 (Annexure P/1) and simultaneously his services were transferred from the Office of

Senior Agriculture Development Officer, Block-Kota Distt. Bilaspur to the Office of Deputy Director Agriculture, Koriya. It is contended that subsequently due to the pandemic lock-down, the petitioner did not join his services at Koriya and in the meanwhile, a letter was issued on 16.03.2020 by the office of Deputy Director, Agriculture Bilaspur (Annexure P/2). Considering the scarcity of work of the people at the office of Deputy Director Agriculture Bilaspur, the petitioner's services may be retained till the end of the financial year. He also submits that as per Clause 2.2 of the Transfer Policy, normally whenever the person is promoted to the higher post and to avoid any transfer, the post may be upgraded. Therefore, the petitioner may be allowed to make a representation to the Director Agriculture so that the petitioner's post may be upgraded at the office of Senior Agriculture Development Officer, Block Kota, Distt. Bilaspur itself.

3. Learned State counsel submits that the petitioner has been transferred to Koriya after being promoted to the post of Senior Agriculture Development Officer.
4. Considering the letter issued by the Deputy Director Agriculture dated 16.03.2020 and further taking into the fact that due to the pandemic lock-down situation, the petitioner did not join his services, therefore, the petitioner may make a representation to the Respondent No. 2 (The Director, Directorate Agriculture, Krishi Vikas Bhawan) within a period

of two weeks addressing his grievance for seeking relief and if such representation is filed, then the Respondent No. 2 shall decide the same preferably within a period of 45 days from the date of receipt of that representation. However, the petitioner shall continue to render his services at the Office of Deputy Director, Bilaspur till his representation is decided.

5. With the above directions/ observations, the writ petition stands disposed off.

Sd/-

(Goutam Bhaduri)
Judge