

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 2851 of 2020**

Ramayan Yadav S/o Shri Shyam Lal Yadav Aged About 46 Years Working As SI (A), Under The Office Of S.P. District Mungeli, R/o Ward No. 8, Indrapuri Nagar, Tifra, Distict Bilaspur Chhattisgarh.

---- **Petitioner**

Versus

1. State Of Chhattisgarh Through Secretary, Police Department (Home Affairs), Secretariat, Mahanadi Bhawan, Atal Nagar, New Raipur Chhattisgarh.
2. The Director General Of Police (DGP) Police Head Quarter, Atal Nagar, New Raipur Chhattisgarh.
3. The Superintendent Of Police District Janjgir Champa Chhattisgarh.

---- **Respondents**

For Petitioner : Mr. Sameer Behar, Advocate

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

Hon'ble Shri Justice Goutam Bhaduri**ORDER**

21.07.2020

Heard

1. Learned counsel for the petitioner would submit that the petitioner who was working as A.S.I. (Administration) was promoted by order dated 23.04.2020 to the post of S.I. (Administration) and thereafter after the promotion, the petitioner has been transferred to 17th Batallion, Kabirdham from District Mungeli. Learned counsel further submits that already a recommendation letter has been issued by the Superintendent of Police by Annexure P-5 dated 02.05.2020 wherein in the note appended to the letter would show that one person Rajkumar Singh is retiring on 30.06.2020 and three posts are available and one post would be falling vacant after 30.06.2020; therefore, by all inference petitioner can be accommodated. He would further submit that the guidelines has been issued by the State on 27.05.2020 (Annexure P-7) whereby direction has been given in clause 2.2

that on promotion, the transfer, as far as possible, considering the pandemic situation, should be avoided and furthermore the guidelines dated 27.06.2019 would show that after 12.07.2019 the transfer should not be effected.

2. Perused the documents and different Annexures as also the recommendation made by the Superintendent of Police. Considering the fact that the recommendation has already been made by the Superintendent of Police that one post is falling vacant and further taking into note the circular, the petitioner is given liberty to make a representation to the respondent No.2 within a period of 3 weeks and the respondent No.2 thereafter shall decide the representation of the petitioner within a further period of 60 days from the date of receipt of the representation. Till then, the transfer of the petitioner from Mungeli to Kabirdham shall not be given effect to.
3. With the aforesaid observation, the writ petition stands disposed off.

Aks

Sd/-
Goutam Bhaduri
Judge