

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 3333 of 2020**

- Sanjay Singh S/o Sahdev Singh, Aged About 50 Years R/o Tulsi Chowk, Ambikapur, District Surguja Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh, Through Secretary, Department Of Home Affair, Mahanadi Bhavan Mantralaya, Atal Nagar, Raipur, District Raipur Chhattisgarh
2. Inspector General Of Police, Raipur, District Raipur Chhattisgarh

---- Respondents

For Petitioner : Shri Amit Kumar, Advocate

For Respondents/State : Ms. Richa Shukla, Dy. GA

Hon'ble Shri Justice Goutam Bhaduri**Order****12/10/2020**

1. Heard.
2. Challenge in this petition is to the order dated 30.04.2020 whereby after promotion of the petitioner, the petitioner has been transferred from 10th Battalion, Surguja to 12th Battalion Ramanujganj, Balrampur.
3. Learned counsel for the petitioner would submit that the petitioner since has suffered an accident in the year 2015 and he underwent three major operations and is still unable to walk, therefore, is unable to move of his own and is completely dependent. He would further submit that considering the situation of the petitioner, he was given a breather/time to join his place of posting on 04.07.2019 (Annexure P-4). It is contended that till date the condition of the

petitioner has not improved, therefore, the transfer of the petitioner may be stayed.

4. Learned State counsel opposes the arguments.
5. Perusal of the documents would show that the petitioner has suffered an accident whereupon he was operated. The petitioner has placed on record an affidavit to show that still the petitioner is dependent on his son for execution of his daily work and at present he is unable to drive the vehicle. Considering the documents and the fact that the petitioner was earlier granted time to join his place of posting on 04.07.2019 whereby six months time was extended, the petitioner is given liberty to make representation before the respondent No.2 by enclosing all the medical documents within a period of three weeks from today. On such representation being filed, the respondent No.2 in turn shall decide the same after evaluating the medical condition of the petitioner within a period of three weeks from the date of receipt of the representation.
6. Till the representation of the petitioner is decided, the status quo, which exists today, with respect to the posting of the petitioner shall be maintained.
7. With the aforesaid observation, the writ petition stands disposed of.

Sd/-

Goutam Bhaduri
Judge

Ashu