

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 4009 of 2020**

- Tameshwar Baghel S/o Budharu Baghel, Aged About 30 Years Working As Assistant Veterinary Officer, And Posted At Veterinary Hospital Abhanpur, District Raipur Chhattisgarh, District : Raipur, Chhattisgarh

---- **Petitioner****Versus**

1. State Of Chhattisgarh Through Secretary, Department Of Animal Husbandry And Development, Mahanadi Bhawan, Mantralaya, Atal Nagar, New Raipur, District Raipur Chhattisgarh.
2. Director, At Office Of Animal Husbandry Development Indravati Bhawan, Naya Raipur, Atal Nagar, District Raipur Chhattisgarh.
3. Collector, Raipur, District Raipur Chhattisgarh.

---- **Respondents**

For Petitioners	:	Mr. Ravi Maheshwari, ,Advocate.
For State	:	Mrs. Sunita Jain, G.A.

Hon'ble Shri Justice Goutam Bhaduri**Order****09-10-2020**

1. Learned counsel for the petitioner submits that the petitioner has been transferred from Veterinary Hospital, Abhanpur, District Raipur to Veterinary Hospital, Patan, District Durg. It is contended that the petitioner being physically handicapped with disablement

of both his lower limbs to the extent of 80% was discharging his office work in the earlier place of posting but now due to transfer to other district, he will have to discharge the work which would be troublesome for him on account of the petitioner being physically handicapped and according to the circular of the State Government dated 30-8-2020, a direction has been issued that the persons who are suffering from physical disability are normally to be kept in the place of their own home district. It is further submitted that the petitioner is a Class-III employee, therefore, his transfer would be quite troublesome for him to travel from one place to other place.

2. Learned State counsel would submit that from the initial appointment the petitioner is working at Abhanpur since 2010, therefore, he has been transferred.
3. Perused the circular of the State Government dated 30-8-2020 which is placed on record wherein a direction was given that the persons who are suffering from disability are normally to be kept at their home district itself.
4. Considering the disability certificate of the petitioner (Annexure P/4) wherein it is shown that both the lower limbs of the petitioner are disabled to the extent of 80%, the petitioner is given liberty to make a representation to the respondent No.1 within a period of two weeks along with all the relevant documents and on such representation being filed, respondent No.1 shall consider and decide the same within a further period of 60 days from the date

of receipt of copy of the representation. Till the representation is decided, the order dated 15-9-2020 (Annexure P/1) in respect of the transfer of the petitioner, shall not be given effect to.

5. With the aforesaid observation/direction, the petition stands disposed of.

Sd/-

(Goutam Bhaduri)
Judge

Raju