

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 4468 of 2020**

Smt. Sushma Shahi W/o Shri Deepak Shahi Aged About 61 Years Project Officer, Integrated Women And Child Development Department, Posted In Project Office Raghunathnagar, Block- Waderfnagar, District Balrampur Ramanujganj, Civil And Revenue Distt. Balrampur Ramanujganj (Chhattisgarh)

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Women And Child Development Department, Mahanadi Bhavan, Mantralay, New Raipur (Chhattisgarh)
2. The Commissioner Women And Child Development Department, Indrawati Bhavan, 4th Floor, New Raipur (Chhattisgarh)
3. The Collector District Balrampur Ramanujganj (Chhattisgarh)
4. The District Program Officer Integrated Women And Child Development Department, Balrampur, District Balrampur Ramanujganj (Chhattisgarh)
5. The Project Officer Raghunathnagar, District Balrampur (Chhattisgarh)

---- Respondents

For Petitioner	:	Mr. Manoj K. Sinha, Advocate
For State	:	Mr. Vivek Ranjan Tiwari, Addl. A.G. Mr. Sudeep Verma, Deputy G.A.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****17/11/2020**

1. The challenge in the present writ petition is to the order of transfer dated 08.11.2019 and the relieving order dated 09.10.2020.
2. Though the order of transfer was issued in November, 2019, but under the precarious condition the petitioner was not relieved and in the process, the petitioner has reached the fag end of her service carrier as she is to retire in just about 10-11 months time from the date the relieving order was issued.

3. Considering the transfer policy of the State itself, wherein it has been stated that the employee should not have been disturbed at the fag end the service, particularly when less than one year of service is left, this Court is inclined to interfere with the impugned orders at this stage for more than one reason, firstly being that of the petitioner having got less than one year of service left for retirement, secondly at this stage when the effect of COVID-19 Pandemic is also severely affected in the State of Chhattisgarh and thirdly the petitioner being a woman, it would not be advisable for somebody to be transferred at this stage, more particularly taking note of the age of the petitioner.
4. Under the circumstances, the petitioner is directed to make a fresh representation in addition to the representation that has already been made to the respondent No.1 within a period 15 days from today and the respondent No.1 in turn shall consider the representation of the petitioner objectively taking into consideration the aforesaid observations by this Court and take a decision at the earliest. Meanwhile, there shall be a stay of the effect and operation of the order dated 08.11.2019 and the order dated 09.10.2020 collectively marked as Annexure P/1.
5. With the aforesaid observations, the present writ petition stands disposed of.

Certified copy today.

Sd/-
(P. Sam Koshy)
Judge