

**HIGH COURT OF CHHATTISGARH AT BILASPUR**

**Writ Petition (S) No. 4687 of 2020**

Suresh Kumar Fuleshar S/o Late Shri Shivjag Singh Fuleshar Aged About 41 Years Presently Working As Sub Engineer (Civil) Office of the Sub Divisional Officer, Water Resources Department No. 3, Jagdalpur, District Bastar, Chhattisgarh.

**---Petitioner(s)**

**Versus**

1. State of Chhattisgarh Through- The Secretary, Water Resources Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, Nava Raipur, District Raipur, Chhattisgarh.
2. Under Secretary Water Resources Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, Nava Raipur, District Raipur, Chhattisgarh.
3. Engineer In Chief Water Resources Department, Raipur, District Raipur, Chhattisgarh.

**---Respondents**

|                      |   |                                 |
|----------------------|---|---------------------------------|
| For Petitioner       | : | Shri C Jayant K Rao, Advocate.  |
| For Respondent-State | : | Shri Rahul Jha, Govt. Advocate. |

**Hon'ble Shri Justice P. Sam Koshy**

**Order On Board**

**24.11.2020**

1. The challenge in the present writ petition is to the order dated 28.08.2020 whereby the petitioner has been transferred from Jagdalpur to Bijapur.
2. Learned counsel appearing for the petitioner submits that he has been working at the present place for last nine years and the place where he is posted is a Scheduled Area and now he has been transferred to a Core Scheduled Area. The second ground of challenge is that the wife of the petitioner is working as a Lecturer at Jagdalpur itself and under the transfer policy in case if the spouse is in employment, as far as possible, the employee has to be permitted to be retained at the same place unless the exigency of work so needs.
3. The State counsel at this juncture submits that considering the entire facts of the case, let the petitioner make a suitable representation to the

authorities concerned who in turn shall consider the same in accordance with transfer policy governing the field.

4. Given the contentions made by the counsel for the State as also by the counsel for the petitioner, the writ petition at this juncture stands disposed of directing the petitioner to move an appropriate representation to the High Powered Committee constituted by the State to deal with transfer matter within a period of two weeks from the date of receipt of copy of this order. The said Committee, in turn, is further directed to ensure that the representation to be made by the petitioner is considered and decided at the earliest keeping in view the transfer policy of the State Govt. at the earliest preferably within a period of 30 days from the date of receipt of representation of the petitioner. That for this period of 30 days or till the representation is decided by the Committee, the petitioner should be permitted to discharge his duties at the present place of posting itself.
5. The writ petition accordingly stands disposed of. No order as to costs.

Sd/-  
(P. Sam Koshy)  
**Judge**

inder