

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 2409 of 2021**

- Devendra Bahadur Singh S/o Shri Krishna Bahadur Singh Aged About 42 Years Working As Assistant Revenue Inspector, Nagar Panchayat Nai Ledri Manendragarh, District Korea Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Urban Administration And Development, Mahanadi Bhawan, Mantralaya, Atal Nagar, Nawa Raipur District Raipur Chhattisgarh
2. The Director Urban Administration And Development, Directorate, Indravati Bhawan, Nawa Raipur District Raipur Chhattisgarh
3. The Chief Municipal Officer Nagar Panchayat Nai Ledri, Manendragarh, District Korea Chhattisgarh

---- Respondents

For Petitioner	:	Shri Somkant Verma, Advocate
For Respondents/ State	:	Shri Sudeep Verma, Dy. G.A.

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****19/05/2021**

1. The grievance of the petitioner is that the services of the petitioner has been transferred from Nagar Panchayat, Nai Ledri, District Korea to Nagar Panchayat Dabhra, District Janjgir-Champa by order dated 01.04.2021 (Annexure P-1).
2. It is contended that the petitioner is a handicapped person and is suffering from 60 percent disability as it is evident from the Disability Certificate (Annexure P-2), further as per the policy of State government if the employee is disabled then he should normally be placed in his home

district where as the petitioner has been transferred to Dabhra which is in District Janjgir-Champa. Therefore, the transfer order of the petitioner shall be cancelled.

3. Perused the policy of the State dated 30.08.2010 which purports that person suffering from disability should be normally be placed in their home town or district. Perusal of Annexure P-2, shows that the petitioner is disabled to the extent of 60 %.
4. Considering the policy of the State and the disability documents the petitioner shall be at liberty to file a representation with all the relevant documents to Respondent No. 1 within a period of 30 days from today. The representation if so made shall be decided within a further period of 60 days from the date of receipt of the copy of the representation. It is further directed that the representation shall be decided keeping in mind the policy of the State dated 30.08.2010 and provisions of the Persons with Disability Act, 2016 till then it is directed that their shall be stay of the transfer order of the petitioner dated 01.04.2021 (Annexure P-1) including the relieving order passed if any.
5. Accordingly, the petition stands disposed of.

Sd/-

Goutam Bhaduri
Vacation Judge