

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No. 54 of 2021

1. Vimal Kumar Dubey S/o Late Shri Bd Dubey Aged About 59 Years Posted As Incharge Food Officer, Collectorate, (Food Section) District Mungeli Chhattisgarh.

---Petitioner(s)

Versus

1. State of Chhattisgarh Through Secretary, Food Civil Supplies and Consumer Protection Department Mahanadi Bhawan, New Raipur District Raipur Chhattisgarh.
2. Collector Collector District Mungeli Chhattisgarh.

---Respondents

For Petitioner	:	Shri P. Acharya, Advocate.
For State	:	Shri Vikas Shrivastava, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

12.01.2021

1. The challenge in the present writ petition is to the order of transfer dated 14.12.2020 whereby the petitioner has been transferred from Mungeli to Koriya.
2. The challenge is on the ground that the petitioner has joined at the present place of posting only recently i.e. vide order dated 23.08.2019 and as such he has not completed his normal tenure of posting. Further contention of the petitioner is that the petitioner in the past have already served 8 years of service in the Scheduled Area and now vide the impugned order he has again been posted to a Scheduled Area which is again in violation to the transfer policy of the State Govt. The petitioner is more than 59 years of age and as such he has few year's service left for retirement and therefore the respondent authorities should have considered of retaining the petitioner at the present place of posting instead of sending him to a Scheduled Area just before his retirement.

3. Given the aforesaid facts and circumstances of the case, let the petitioner make a detailed representation to the respondent No.1 in respect of his order of transfer from Mungeli to Koriya within a period of 10 days from today and the respondent authorities are directed to consider the representation in accordance with policy governing the field within a further period of 30 days. Till the representation of petitioner is decided, there shall be a stay of the effect and operation of the order dated 14.12.2020 so far as petitioner is concerned.
4. The writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

inder