CGHC010422432026 2026:CGHC:45734

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 7747 of 2026

Ajay Kumar Bajpai S/o Late Shri Nandan Prasad Bajpai Aged About 61 Years Presently Posted As Assistant Superintendent of Prisons At Central Jail Ambikapur, District Ambikapur Surguja Chhattisgarh R/o New F-1, Central Jail Campus, Central Jail Bilaspur Chhattisgarh

... Petitioner

versus

1 - State of Chhattisgarh Through The Principal Secretary, Home (Jail) Department, Mantralaya, Mahanadi Bhawan, Nava Raipur Atal Nagar, District Raipur Chhattisgarh

2 - The Director General, Prison and Correctional Services Jail Headquarters, Sector 19, Nava Raipur Atal Nagar, District Raipur Chhattisgarh

... Respondents

For Petitioner	:	Mr. Goutam Khetrapal, Advocate
For State/Respondent	:	Mr. Suyashdhar Badgaiya, GA

(Hon'ble Shri Justice Bibhu Datta Guru)

Order on Board

29/10/2026

1. The petitioner has approached this Court seeking appropriate relief in respect of his request for transfer from Central Jail, Ambikapur to Central Jail, Bilaspur. The grievance of the petitioner is that, despite his serious medical condition and the fact that he is nearing superannuation, his request for transfer has not been decided by the competent authority.

2. **A.** Learned counsel appearing for the petitioner submits that the

ASHUTOSH MISHRA
Digitally signed by ASHUTOSH MISHRA
Date: 2026.10.30 18:35:15 +0530

petitioner was diagnosed with squamous cell carcinoma of the tongue in September, 2010, for which he had undergone surgery and subsequent treatment. Learned counsel submits that the petitioner has again been diagnosed with cancer of the buccal mucosa and underwent surgical treatment on 23.09.2026 at Apollo Hospital, Bilaspur. The medical condition of the petitioner, according to learned counsel, requires due consideration while deciding his request for transfer. Learned counsel for the petitioner further submits that the petitioner is presently posted at Central Jail, Ambikapur and is due to retire within approximately three months.

B. He would further submit that in view of his serious medical condition, the treatment undergone by him and the short period of service remaining before his retirement, his request for transfer to Central Jail, Bilaspur deserves sympathetic consideration. Learned counsel further places reliance upon Clauses 3.12 and 1.10 of the Transfer Policy, 2025, and submits that the petitioner's case ought to be considered in the light of the aforesaid provisions, keeping in view the peculiar facts and circumstances of the case and appropriate direction may be issued to the competent authority to decide the petitioner's pending representation, which is lastly submitted on dated 21.09.2026 (Annexure P/3) within a stipulated period.

3. Learned counsel for the respondents/State submits that the representation made by the petitioner shall be considered and decided by the competent authority in accordance with the applicable Transfer Policy.

4. Heard learned counsel for the parties and perused the material available on record.

5. Having considered the submissions advanced on behalf of the parties, this Court finds that the petitioner has raised a grievance requiring consideration by the competent authority, particularly in view of the serious medical circumstances pleaded by him and his near superannuation. The petitioner relies upon his earlier diagnosis of cancer, the subsequent diagnosis and surgical treatment, and the limited period

of service remaining before his retirement. These circumstances, along with the provisions of Clauses 3.12 and 1.10 of the Transfer Policy, 2025, are relevant considerations for the competent authority while examining the petitioner's request.

6. Accordingly, the Director General of Prisons and Correctional Services, Chhattisgarh, Raipur (Respondent No.2), is directed to consider and decide the petitioner's representation dated 21.09.2026 (Annexure P/3) seeking transfer from Central Jail, Ambikapur to Central Jail, Bilaspur, in the light of Clauses 3.12 and 1.10 of the Transfer Policy, 2025, and other applicable provisions, after taking into consideration the petitioner's medical documents, his history of cancer and subsequent surgical treatment, as pleaded, as well as the fact that he is due to retire within approximately three months.

7. The aforesaid exercise shall be completed within a period of fifteen days from today. The decision taken by the competent authority shall be communicated to the petitioner within the aforesaid period.

8. Accordingly, the writ petition is allowed to the above extent.

SD/-
(Bibhu Datta Guru)
JUDGE

ashu