

(15) (3)  
C-10-1001

**IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR**

W.P.NO. <sup>3679</sup> /2003

**PETITIONER:**

Ramlal Chauhan S/O Panchram  
Aged about 42 Years, Occupation - Peon  
R/O Rajiv Gandhi Nagar, Mithumuda,  
Post & Tah. Raigarh, Distt.-Raigarh (C.G.)

**VERSUS**

**RESPONDENTS:**

1. State of Chattisgarh  
Through Secretary,  
Agriculture(Fishery) Department  
D.K.S. Parisar, Raipur (C.G.)
2. Asstt. Director, (Fishery)  
Distt. Raigarh (C.G.)
3. Asstt. Director, (Fishery)  
Distt. Jashpur (C.G.)
4. Ramgopal Sidar, Peon  
Office of Asstt. Director, (Fishery)  
Distt. Jashpur (C.G.)

**WRIT PETITION UNDER ARTICLE 226 & 227 OF THE  
CONSTITUTION OF INDIA**

P. R. No. ....  
Presented by .....  
dated 10.11.03

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10.11.03  
Link to A. G. Bilaspur

## आदेश पत्रक

मामला क्रमांक

W.P. 3679/सन् 2003

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	<p><u>19.12.2003</u></p> <p>Shri Sunil Otwani, counsel for the petitioner.</p> <p>Shri Praveen Das, Panel Lawyer for the State/respondents 1 to 3.</p> <p>Heard both the counsel.</p> <p>By this writ petition under Article 226/227 of the Constitution of India, the petitioner has challenged the transfer order dated 27.09.2003 (Annexure P-1), by which he has been transferred from District: Raigarh to District: Jashpur. The petitioner is working as Chowkidar, temporarily in the Department of Fisheries.</p> <p>Learned counsel for the petitioner submitted that as per the policy of the Government, Annexure P-6, Class-IV employees cannot be transferred from one district to another district, being low paid employees. The second argument of the learned counsel for the petitioner is that the petitioner has been transferred simply to accommodate respondent No.4 and it is evident from the transfer order (Annexure P-1) itself that a copy of the same has been sent to the P.A. to the then Home Minister and it shows that at the instance of the then Home Minister in order to accommodate respondent No.4, the petitioner has been transferred.</p> <p>Having heard the learned counsel for the parties and having regard to the facts and circumstances of the case, I am of the opinion that the petitioner should be allowed to make a representation to which learned counsel for the State/respondents 1 to 3 has no objection. Therefore, the petitioner is allowed to make a detailed representation raising all his grievances within a period of ten days from today to respondent No.1 and in</p>	

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	<p>turn respondent No.1 shall decide the same within a period of thirty days from the date of receipt of the representation taking into consideration all the grievances of the petitioner and the relevant circular of the Government in an objective manner with a reasoned order. In the mean time, if the petitioner is not relieved he should not be relieved till his representation is decided.</p> <p>With the observations and directions, the petition stands disposed of.</p> <p>Consequently, M.(W.)P.No.3316/2003 and I.A.No.10563/2003 also stand disposed of.</p> <p>Parties are entitled for certified copy of this order.</p>	<p>Sd/- L.C. Bhadoo Judge</p>

Soma

[पीछे देखिये]