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IN THE HON'BLE HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION NO. 1266 OF 2003

PETITIONER : x~~10~~ Bhojraj Singh son of late Bhure Singh, aged 55 years, reserve Inspector (on leave) resident of village Chikhaldaha, Tahsil Khairagarh, Distt. Rajnandgaon (C.G.)

VERSUS

RESPONDENTS :

1. State of Chhattisgarh
Through- The Secretary Home Department, Mantralaya, D.K.S. Bhawan, Raipur.
2. Inspector General of Police
State of Chhattisgarh, Raipur.
3. Superintendent of Police
Bijapur Distt. Jagadalpur, Bastar.

P. R. No. 1110/03
Presented by Shri. Pankaj Singh
dated 16.04.03

PETITION UNDER ARTICLE 226 & OF THE CONSTITUTION OF INDIA.

COPY

आदेश पत्रक

मामला क्रमांक W.P...1266/53... सन् 200

..... विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	<p><u>29.4.2005</u></p> <p>Shri H.B. Agarwal, Sr. Advocate with Shri Pankaj Agarwal, counsel for the petitioner.</p> <p>Shri Akhil Agarwal, Panel Lawyer for the State.</p> <p>Heard.</p> <p>The petitioner has preferred this writ petition being aggrieved by the order dated 20.11.2002 passed by respondent No.2 whereby the petitioner has been posted under Inspector General of Police, Bastar and his services have been placed under the control of Inspector General of Police being posted under his jurisdiction.</p> <p>The main ground raised by the petitioner in this petition is that he had already worked in the naxallites area, therefore, the impugned order is malafide.</p> <p>Reply of this writ petition has been filed on behalf of the respondent State in which it has been mentioned that the petitioner had never served in the naxallites area, however in the year 1976 he was posted as Platoon Commander in 24th Batallion (SAF) and at that time he was awarded by the State of Bihar. It has further been mentioned that after a lapse of 27 years it cannot be said that the petitioner is still in the hit list of the naxallites.</p> <p>It is an admitted position that the petitioner has worked in the State of Bihar before 1976, but the petitioner has not been able to show that he had ever been posted in the naxallites area in the erstwhile State of M.P. or C.G., therefore, I do not find any substance in the ground raised by the petitioner.</p>	

आदेश पत्रक

मामला क्रमांक 12.56/03 सन् 200

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आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	<p>Learned Sr. Counsel for the petitioner drawing attention of the Court towards Column No.7 of transfer policy in which it has been mentioned that if any Sub-Inspector or Inspector rendered two years services satisfactorily in the naxallites area then he will be entitled to seek his transfer as per his choice given by him for his posting in one of the range out of three police ranges, argued that after passing of the impugned order the petitioner has already served two years in the naxallites area, therefore he is entitled for his transfer.</p> <p>In this petition order dated 22.11.2002 has been impugned and after passing of the said order if the petitioner has served more than two years upto the satisfaction of the authorities concerned then it is for the authorities to consider this aspect and pass appropriate order.</p> <p>In the result, I do not find any illegality or irregularity in the impugned order dated 22.11.2002, the petition of the petitioner is liable to be dismissed and accordingly, it is dismissed.</p> <p>Consequently, M.W.P. No.1160/2003 also stands dismissed.</p>	<p>Sd/- L.C.BHADOO Judge</p>

(पीछे देखिये)

14.5.04
14.7.03