

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3260 of 2016

- Khemeshwar Jain S/o Sundar Lal Jain, Aged About 33 Years
Occupation Technical Assistant Posted At Janpad Panchayat
Kanker, Tahsil Kanker, District North Bastar Kanker (Chhattisgarh)
R/o Abelapara, Kanker, District North Bastar Kanker (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through : The Secretary, Department Of
Panchayat Mantralaya, Mahanadi Bhawan, Naya Raipur, District
Raipur (Chhattisgarh)
2. Collector, District North Bastar Kanker (Chhattisgarh)
3. Chief Executive Officer, Jila Panchayat, Kanker, District North
Bastar Kanker (Chhattisgarh)
4. Hemant Dhruw, Occupation Technical Assistant Posted At Janpad
Panchayat, Koyalibeda, Tahsil Koyalibeda, District North Bastar
Kanker (Chhattisgarh)

---- Respondents

For Petitioner : Mr. Ramesh Kumar Sharma, Advocate
For State / Respondent : Mr. Dhiraj Wankhede, Dy. Govt. Advocate
Nos. 1 & 2 on advance copy

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

29/07/2016

Heard.

1. The petitioner has challenged the transfer order on the ground that
presumably, because the petitioner has made certain complaints,
the petitioner has been transferred. The second ground is on
humanitarian in aspects that petitioner's son is suffering from cancer
and requires treatment. The place where he is being shifted is
about 140 km away from the District Headquarter, Kanker,
therefore, the petitioner's transfer order be set a side.
2. After hearing learned counsel for the petitioner, taking into
consideration the aspects of acute illness of petitioner's son, who is

suffering from cancer and who may be in need of regular medical assistance, I am inclined to direct the Chief Executive Officer, Jila Panchayat, Kanker, District – North Bastar, Kanker to consider whether the petitioner could be adjusted in a place nearby the District Headquarter, Kanker to facilitate access to medical assistance, considering that the petitioner's son is suffering from deadly disease. The Chief Executive Officer shall decide the petitioner's case within a period of 20 days from today. For the next three weeks no coercive step shall be taken against the petitioner on the ground that he has not joined at the present place.

3. With this observation, the petition stands disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge