

**Serial No.08**  
**Regular List**

**HIGH COURT OF MEGHALAYA**  
**AT SHILLONG**

WP (C) No. 129 of 2021

Date of Order: 26.03.2021

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Shri. Sathya Narayanan K.      **Vs.**      The Union of India & 4 Ors.

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**Coram:**

**Hon'ble Mr. Justice Ranjit More, Judge**

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**Appearance:**

For the Petitioner/Appellant(s) : Mr. M. Chanda, Adv.

For the Respondent(s) : Dr. N. Mozika, ASG. with  
Mr. J. I. Nongrum, Adv.

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Heard Mr. M. Chanda learned counsel for the petitioner and Dr. N. Mozika, learned ASG.

By this petition petitioner is challenging his transfer order from Assam Rifles Training Centre and School to 30 AR (Manipur-Joupi-V/Hard).

Mr. M. Chanda, learned counsel for the petitioner contends that medical condition of the petitioner is not good and, therefore, he has already filed an application on 14-01-2021 for voluntary retirement. Mr. M. Chanda, learned counsel for the petitioner submits that his application is also recommended by the Deputy Inspector General Assam Rifles Training Centre and School. Mr. M. Chanda, learned counsel for the petitioner submits that the petitioner is transferred to a hard location and because of his medical condition it is not possible for him to discharge the functions.

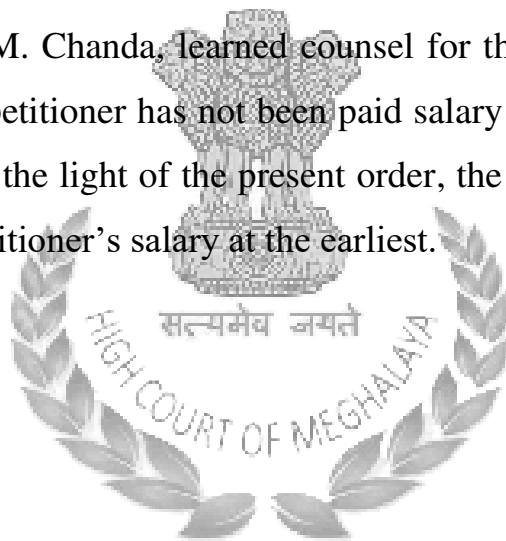
Dr. N. Mozika, learned ASG submits that out of 26 years of service the petitioner has served for the period of 24 years 8 months in good location and for the period of 1 year and 4 months in moderate location.

Petitioner for the first time is being transferred to hard location and, therefore, he cannot make any grievance.

However, taking into consideration the medical condition of the petitioner coupled with the facts that he has already applied for the voluntary retirement and his application is already recommended, I dispose of this petition by passing following orders: -

- (i) The competent authority of the respondent-Assam Rifles shall decide the petitioner's application for voluntary retirement on its own merit as early as possible and in any case within the period of 4 (four) weeks from the date of the receipt of the order.
- (ii) Until disposal of the said application of the petitioner the parties shall maintain status-quo as of today as regarding the petitioner's transfer.

At this stage, Mr. M. Chanda, learned counsel for the petitioner makes a grievance that the petitioner has not been paid salary since January, 2021. If that be so and in the light of the present order, the respondent authority shall release the petitioner's salary at the earliest.



**Judge**

Meghalaya  
26.03.2021  
"Biswarup PS"