

## Shiv Kumar Singh Sarwa Vs State Of Chhattisgarh And Ors

**Court:** Chhattisgarh High Court

**Date of Decision:** Aug. 21, 2019

**Hon'ble Judges:** P. Sam Koshy, J

**Bench:** Single Bench

**Advocate:** Somkant Verma, Chandresh Shrivastava

**Final Decision:** Disposed Of

### Judgement

P. Sam Koshy, J

1. The challenge in the present writ petition is to the order Annexure P-

1 dated 09.08.2019 whereby the services of the petitioner has been transferred from the office of Executive Engineer, Water Resource Department,

Division Kota to Office of Executive Engineer, Water Resource Department, Bijapur.

2. The ground of challenge in the present writ petition is that the petitioner is aged more than 55 years of age. He is presently aged around 59 ½

years. According to the petitioner as per the transfer policy of the Government, the persons who are aged more than 55 years should not be sent to a

scheduled area and in the instant case the place where petitioner is getting transferred is core scheduled area and for this reason also impugned order

is bad in law.

3. Given the aforesaid facts and circumstances of the case, let petitioner make a detailed representation to the respondent No. 1 within a period of 15

days highlighting his objections in his representation and respondent No. 1 in turn may consider same within a period of 45 days from the date of

receipt of the representation made by the petitioner.

4. Till the representation of the petitioner is decided, the effect and operation of the impugned order so far as petitioner is concerned shall remain

stayed.

5. With the aforesaid observation, the present writ petition stands disposed off.