



NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 292 of 2023

- Gajanand Sahu S/o Madan Lal Sahu Aged About 36 Years Presently Posted And Working As Jail Warder, District Jail Kanker, Circle Jagdalpur, District - South Bastar Kanker, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Home (Police) Department, Mantralaya, Mahanadi Bhawan, Atal Nagar Nawa Raipur, District : Raipur, Chhattisgarh
2. Director General Jail And Corrective Service, Chhattisgarh, Raipur, District : Raipur, Chhattisgarh
3. The Superintendent Of Jail Central Jail Durg, District : Durg, Chhattisgarh
4. The Superintendent Of Jail Central Jail Jagdalpur, District : Bastar(Jagdalpur), Chhattisgarh

---- Respondents

For Petitioner : Shri Kaushal Yadav, Advocate on behalf of
Shri NK Jaiswal, Advocate
For Respondents/State ; Shri Anshuman Shrivastava, PL

Hon'ble Shri Justice Parth Prateem Sahu

Order on Board

16.01.2023

1. Heard.

2. Learned counsel for the petitioner would submit that petitioner was appointed on the post of Jail warden for Durg Circle vide order dated 18.02.2015 (Annexure P1) by respondent-3. After his appointment, petitioner was sent for training and thereafter, he was posted in District Jail, Kanker. Petitioner, as of now, completed more than five years of service in Scheduled area, and therefore, according to Circular dated 03.06.2015 (Annexure P4), petitioner is entitled to be posted in non-scheduled area. He submits that at this stage, petitioner may be permitted to submit representation before respondent-2 and respondent-2 be directed to consider and decide representation of petitioner within specified time.

3. Learned counsel for the State submits that in view of limited prayer made by learned counsel for petitioner, he is having no objection.



4. Heard learned counsel for the parties.

5. Taking into consideration submission of counsel for petitioner that petitioner since the time of his employment and completion of training, is working in district-Kanker and also Clause 1.3 of Circular dated 03.06.2015, limited prayer made by learned counsel for petitioner, which is not opposed by learned State counsel, this writ petition is disposed of at this stage permitting petitioner to submit detail representation before respondent-2, raising all grounds as raised in this writ petition. On making such representation, respondent-2 shall consider and decide the same in accordance with law expeditiously, preferably within a period of **eight weeks** from the date of receipt of representation to be submitted by petitioner.

6. Accordingly, writ petition stands disposed of.

7. Certified copy as per rules.

Sd/-
(Parth Prateem Sahu)
JUDGE

padma

