

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Appeal No. 285 of 2015**

Surya Kant Sharma S/o Shri G.P.Sharma, aged about 49 years, Presently posted as Upper Division Teacher (Arts) at Government Middle School Torwa, District Bilaspur, R/o Kargil Chowk, Kasturba Nagar, Bilaspur, PS Civil Line, District Bilaspur Chhattisgarh.

---- Appellant**Versus**

1. State of Chhattisgarh through the Secretary, Department of School Education, Mantralaya, Mahanadi Bhawan, Naya Raipur, Raipur, Chhattisgarh.
2. The Collector, Bilaspur, District Bilaspur Chhattisgarh.
3. The Chief Executive Officer, Jila Panchayat, Bilaspur, District Bilaspur Chhattisgarh.
4. The District Education Officer, Bilaspur, District Bilaspur Chhattisgarh.
5. Smt. Sunita Anand, Presently posted as Upper Division Teacher at Government Middle School, Torwa, District Bilaspur.

---- Respondents

For Appellant	:	Shri Mateen Siddique, Advocate.
For Respondents 1 to 4	:	Shri B. Gopa Kumar, Deputy Advocate General.

Hon'ble Shri Navin Sinha, Chief Justice**Hon'ble Shri P. Sam Koshy, J.****Judgment on Board****Per Navin Sinha, Chief Justice****14/05/2015**

1. The present appeal arises from order dated 10.04.2015 dismissing Writ Petition (S) No. 1267 of 2015. The Learned Single Judge, noticing that the Appellant had been transferred barely 13 KMs from his earlier place of posting, declined to interfere.
2. Today itself, in Writ Appeal No. 279 of 2015 (Bhogchandra Tamrakar v. State of Chhattisgarh), we have already dealt with the issue with regard to orders for transfer required to have been issued by the District Education Officer, but issued by the Chief Executive Officer of the Zila Panchayat, both amenable to ratification by the Collector and which has been granted presently also.

3. For the aforesaid reason and also the fact that the transfer of the Appellant was barely at a distance of 13 KMs only, we do not consider the present to be a fit case calling for any interference. Right to be vigilant for protection of rights cannot be extended to the extreme in a transfer matter, as done in the present case where the transferred place of posting is barely 13 KMs away.

4. The appeal is dismissed.

Sd/-
(Navin Sinha)
CHIEF JUSTICE

Sd/-
(P.Sam Koshy)
JUDGE