

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 2859 of 2015

J. P. Shyam S/o J. Satyanarayan, Aged About 48 years Working As Lecturer (Mathematics) At Government Higher Secondary School, Urla, Block Durg, District Durg, Chhattisgarh R/o M. I. G. / 1093/I, Hudco, Bhilai, District Durg Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, School Education Department, Office Situated At Mahandi Bhavan, New Raipur, District Raipur Chhattisgarh
2. Additional Secretary School Educaiton Department, Office Situated At Mahanadi Bhavan, New Raipur, District Raipur Chhattisgarh
3. District Education Officer Durg, District Durg, Chhattisgarh
4. Lakhan Lal Sahu Lecturer (Mathematics) Posted At Government Higher Secondary School, Vinayakpur, District Durg Chhattisgarh

---- Respondent

For Petitioners	: Shri Praveen Dhurander, Advocate.
For Respondent	: Shri Shashank Thankur, G.A. for the State.

Hon'ble Shri Justice Pritinker Diwaker

Order On Board

07/08/2015

Challenge in the present petition is to the order dated 23.07.2015 (Annexure P-1) passed by respondent No.2 whereby the petitioner who is working as Lecturer (Mathematics) has been transferred from Government Higher Secondary School, Urla district Durg to Government Higher Secondary School, Vinayakpur, District Durg.

Counsel for the petitioner submits that there is complete ban on transfer under Clause 2 of the transfer policy and therefore the transfer order is bad in the eye of law. He further submits that the mother of the petitioner is residing with him who is aged about 79 years and suffering from various ailments. He submits that he may be permitted to withdraw this petition with liberty to file representation before the competent authority. However direction may be issued to the authority concerned to decide his

representation expeditiously.

State counsel has no objection to the above preposition as put forth by the petitioner.

Accordingly, the petitioner is permitted to withdraw this petition with the aforesaid liberty. In the eventuality of filing any such representation by the petitioner within a period of 10 days before the competent authority, the same would be decided by the authority concerned strictly in accordance with law within a further period of five weeks from the date of receipt of the said representation.

No observation on the merits of the case has been made by this Court and it would be entirely for the competent authority to act in accordance with law.

Sd/-
Pritinker Diwaker
Judge