

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 2931 of 2015

- Kamal Kumar Dewangan S/o Late Shri B.P. Dewangan, Aged About 49 Years, Occupation – Asst. Grade III, Government College Of Education, Bilaspur, P.S. Tarbahar, District Bilaspur Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Education Department, Mahanadi Bhawan, New Mantralay, District Raipur Chhattisgarh
2. The Collector Bilaspur, Bilaspur Chhattisgarh
3. The District Education Officer Bilaspur, District Bilaspur Chhattisgarh
4. The Principal Government College Of Education, Bilaspur, District Bilaspur Chhattisgarh
5. Rajkumar Sharma Assistant Grade III, Government Higher Secondary School, Sakarra, District Bilaspur Chhattisgarh

---- Respondent

WPS No. 3079 OF 2015

- Suresh Kumar Vyas S/o Late Shri Ram Kripal Vyas, Aged About 53 Years Head Master, Presently Posted At Government Primary School Dadha, Block Bilha, District Bilaspur Chhattisgarh

---- Petitioner

Vs

1. State Of Chhattisgarh Through Secretary, School Education Department, Mantralaya, Capital Complex, Mahanadi Bhawan New Raipur Chhattisgarh
2. Collector, Bilaspur, Chhattisgarh
3. District Education Officer, Bilaspur, Chhattisgarh
4. The Block Education Officer Bilha District Bilaspur Chhattisgarh

---- Respondent

And

WPS No. 3222 OF 2015

- Vikas Tiwari S/o Late Shri H. P. Tiwari, Aged About 50 Years Assistant Grade- I I , Presently Posted at The Office Of District Education Officer, Bilaspur, Distt. Bilaspur (Chhattisgarh)

---- Petitioner

Vs

1. State Of Chhattisgarh Through Secretary, School Education Department, Mantralaya, Capital Complex, Mahanadi Bhawan New Raipur (Chhattisgarh)
2. Collector, Bilaspur (Chhattisgarh)
3. District Education Officer, Bilaspur (Chhattisgarh)
4. Principal, Government Multipurpose Higher Secondary School Bilha Distt. Bilaspur (Chhattisgarh)

---- Respondent

For Petitioner

Mr. Prakash Tiwari, Advocate

For Respondent/State

Mr. P.K. Bhaduri, Government Advocate

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

4/9/2015

Heard.

(2) In the present writ petitions, the impugned orders of transfer have been issued by the District Education Officer, Bilaspur.

(3) An affidavit filed by the Secretary, School Education Department clearly states that the District Education Officer has violated the Government's instructions while issuing the impugned orders.

(4) In view of the above, the impugned orders in each of the three

writ petitions are quashed. However, respondent No.2 would be at liberty to pass fresh order in accordance with law if the administrative exigency so warrants.

(5) Accordingly, the writ petitions are allowed to the extent indicated above.

Sd/-

Judge

(Prashant Kumar Mishra)

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