

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 5935 of 2014**

- Rajendra Kumar Rathore, S/o Devsahai Rathore, aged about 49 years, working as Headmaster, at Government Primary School Charpara Nagarda, District Janjgir- Champa; R/O Village Kachanda, PO Jharna, Tahsil & PS Champa, District Janjgir -Champa (C.G.)

---- Petitioner**Versus**

1. The State of Chhattisgarh, through the Secretary, Department of School Education, Mantralaya, Naya Raipur, District Raipur (C.G.)
2. The District Education Officer, Janjgir, District Janjgir - Champa (C.G.)
3. The Block Education Officer, Block Sakti, District Janjgir -Champa (C.G.)

---- Respondents

For Petitioner	:	Shri Mateen Siddiqui, Advocate
For Respondents/State	:	Shri S. Mazid Ali, PL for the State

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****22/06/2015**

1. Petitioner is aggrieved by the impugned posting order dated 15-10-2014, whereby he has been posted from primary school Charpara to primary school Manikpur in the Sakti Block of district Janjgir-champa.
2. Shri Siddiqui, learned counsel for the petitioner would submit that earlier the petitioner was attached at primary school Nagarda, where from he was relieved for his original place of posting i.e. at Charpara (Nagarda) on 27-9-2014, where he submitted his joining on 1-10-2014, therefore, the impugned order having been passed within 15 days of his shifting from

Nagarda to Charpara (Nagarda) amounts to frequent shifting. He would also submit that the petitioner is handicapped employee and the present place of posting being at an interior place, the petitioner would face extreme hardship.

3. Learned State counsel would draw attention of the Court to the documents filed along with the return to demonstrate that the villagers were objecting to the petitioner's posting at Nagarda for about 15 years. He would submit that the villagers had locked the school premises and insisted for petitioner's shifting on the ground of his ill behaviour, therefore, it constitutes administrative exigency and the Block Education Officer is within his authority to post the petitioner in the same block.
4. Considering the material filed along with the return, the present is not a case for interference, however, if the petitioner is facing extreme hardship in joining duties, it will be open for him to move a representation before respondent No.2 District Education Officer within a period of 15 days, which shall be decided by the said authority within a further period of six weeks.
5. Accordingly, the writ petition is disposed of.

Sd/-

JUDGE

PRASHANT KUMAR MISHRA

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