

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3993 of 2016

N. R. Kurre S/o Late Kartik Ram Kurre, Aged About 56 Years Working As Principal Govt. Boys Higher Secondary School Chhuikhadan, District Rajnandgaon Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, School Education Department, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur Chhattisgarh
2. The Under Secretary, School Education Department Mantralaya, Mahanadi Bhawan, Naya Raipur Chhattisgarh
3. Director Public Instructions, Diretoate Of Education, Indrawati Bhavan, Naya Raipur Chhattisgarh
4. District Education Officer, Rajnandgaon, District Rajnandgaon Chhattisgarh
5. A.K. Sahare, Block Education Officer Sahaspur, Lohari District Kabirdham Chhattisgarh

---- Respondents

For Petitioner	:	Shri Sushil Dubey, Advocate
For State	:	Shri R.K. Gupta, Dy.A.G.

S.B.:Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

23/08/2016

Heard on admission.

1. The transfer order is under challenge on the ground that in the transfer order, the petitioner has been transferred both at the option of Block Education Officer Chhuikhadan and District Education Officer,

Rajnandgaon. It is also submitted that in the impugned order, it has also been mentioned that transfers are being made on the request, but against the name of the petitioner, it has been mentioned as administrative exigency. He also submits that respondent No.5 was subsequently transferred vide order dated 30.7.2016 in the office of Block Education Officer, Chhuikhadan and he has also submitted his joining vide Annexure P-4 and therefore, in these circumstances, the District Education Officer, Rajnandgaon has sought guidance from the Director, Public Instructions vide memo dated 5.8.2016.

2. The District Education Officer, Rajnandgaon has sought instructions from the Director, Public Instructions. This is with regard to posting of the petitioner. Therefore, in these circumstances, the Director, Public Instructions needs to clarify the situation by appropriate instructions to the District Education Officer, Rajnandgaon within a period of 15 days from the date of receipt of copy of this order.
3. Unless a clear direction in writing is given to the petitioner with regard to place of his posting, coercive steps shall not be taken against the petitioner.
4. With the observation and direction as above, the petition is finally disposed off.

Sd/-
(**Manindra Mohan Shrivastava**)
Judge