

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 2221 of 2016

Niranjan Ekka S/o Shri Vijay Ekka, Aged About 41 Years
Posted As Assistant Teacher (Panchayat), Government
Primary School, Ektal, Block Pussore, District Raigarh
(Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Panchayat And Rural Development, Mantralaya, New Raipur, P. S. Rakhi, District Raipur (Chhattisgarh)
2. The Collector, Raigarh, District Raigarh (Chhattisgarh).
3. The Chief Executive Officer, Zila Panchayat, Raigarh, District Raigarh (Chhattisgarh)
4. The Chief Executive Officer, Janpad Panchayat, Pussore, District Raigarh (Chhattisgarh)

---- Respondents

For Petitioner	:	Mr. M.K. Jaiswal, Advocate.
For State	:	Mr. S.P. Kale, Dy. A.G. on advance copy.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

20/06/2016

Heard.

Amongst various grounds which have been raised in this petition challenging the order of transfer, learned counsel for the petitioner presses this petition only on the ground that if the petitioner is transferred from the present school, the school would be left only one teacher. It is stated that in place of petitioner, no other teacher is being sent. The argument is that this is not only in violation of the policy of rationalization but adverse to the interest of the students.

The grounds which have been raised in this petition should

have been first raised before the Competent Authority, who has effected transfer.

There are no material available on record to show that more than one teacher would be required in a school of 35 students. No specific policy has been placed on record. Therefore, in these circumstances, the proper course would be to direct the respondents to consider petitioner's representation within a period of 15 days from the date of receipt of copy of this order.

It is made clear that non-decision of the representation within the time stipulated would be treated as violation of Court's order.

The petition is accordingly disposed off.

Sd/-
(Manindra Mohan Shrivastava)
J U D G E