

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Appeal No.401 of 2016**

Tika Ram Patel, son of Jagdish Patel, aged about 51 years, posted at Government Girls Higher Secondary School Saraipali, District Mahasamund, Chhattisgarh

---- Appellant**versus**

1. The State of Chhattisgarh, through Secretary, School Education Department, Mahanadi Bhawan, Mantralaya, New Raipur, District Raipur, Chhattisgarh
2. Joint Secretary, State of Chhattisgarh, School Education Department, Mahanadi Bhawan, Mantralaya, New Raipur, District Raipur, Chhattisgarh
3. District Education Officer, District Mahasamund, Chhattisgarh
4. Principal, Govt. Girls Higher Secondary School, Saraipali, District Mahasamund, Chhattisgarh
5. Smt. Gasmoti Patel, Lecturer, Sanskrit, Govt. High School, Kankeva, Block Saraipali, District Mahasamund, Chhattisgarh

---- Respondents

For Appellant	:	Shri Raghvendra Pradhan, Advocate
For State/Respondents No.1 to 4	:	Shri Y.S. Thakur, Deputy Advocate General

Hon'ble Shri Deepak Gupta, Chief Justice
Hon'ble Shri Justice P. Sam Koshy

Order on Board**Per Deepak Gupta, Chief Justice****24.8.2016**

1. This writ appeal is totally an abuse of process of law. The Appellant/Petitioner has been transferred from Government Girls Higher Secondary School, Saraipali, District Mahasamund to Government High School Kankeva, which falls in the same Block of Saraipali, District Mahasamund.
2. The only ground raised by the Appellant/Petitioner is that he may not get salary at the new place of his transfer/posting because the Government High School Kankeva, Block Saraipali, District Mahasamund is run under the Rashtriya Madhyamik Shiksha Abhiyan.
3. It is the duty of the Government to pay salary to its employees.

Therefore, the Appellant/Petitioner will have to join his new place of posting at Government High School Kankeva, Block Saraipali, District Mahasamund. In case, he is not paid salary at his new place of posting, he has a right to approach this Court in accordance with law for claim of his salary.

4. In view of the above discussion, the writ appeal is dismissed.

Sd/-
(Deepak Gupta)
CHIEF JUSTICE

Sd/-
(P. Sam Koshy)
JUDGE