

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 5576 of 2016

Vinod Kumar Sahu S/o Govind Ram Sahu Aged About 47 Years
Posted As Lecturer, At Government High School, Gopalpur,
Katghora, District Korba, R/o Lig-li, Sada Colony, Jamnipali, Korba,
District- Korba, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Its Secretary, School Education
Department Mantralaya, Mahanadi Bhawan, Naya Raipur, District
Raipur, Chhattisgarh
2. District Education Officer, Korba, Distt. Korba, (Chhattisgarh)
3. Principal, Government High School, Gopalpur, Katghora, District
Korba, Chhattisgarh
4. Principal, Government Girls High School, Pali, Katghora, District-
Korba, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Mateen Siddiqui, Advocate.
For State	:	Mr. Dheeraj Wankhede, G.A.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

06/10/2016

Heard on admission.

1. The petitioner has filed this petition in view of endorsement made by the District Education Officer in memo dated 22.09.2016 of the Principal wherein, it has directed that the petitioner to join back in the same school wherefrom he has been transferred.
2. Sole submission of learned counsel for the petitioner is that the order of transfer issued by the State Government on 30.07.2016 and to the best of the information of the petitioner, the transfer order has not been cancelled till date. Therefore, unless there is an order of the State Government, the petitioner cannot be directed to go back to the

institution.

3. Irrespective of the issue whether the transfer order has been executed or not, unless there is an order of fresh transfer or cancellation by the State Government, District Education Officer cannot issue such direction. Therefore, until and unless the State Government passes an appropriate order, the petitioner shall be allowed to continue where he has been transferred by the State Government.

4. The petition is accordingly disposed off.

Sd/-

(Manindra Mohan Shrivastava)
J U D G E

Rekha