

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 6852 of 2016

Netaji Markendey S/o. Late Shri Dhaneshram
Markendey, Aged About 35 Years U D T Middle School
Rudri, District Dhamtari (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Department
Of Education Mahanadi Bhawan, Mantralaya, New
Raipur, District Raipur (Chhattisgarh)
2. Director Public Instruction Pension Bada Raipur
(Chhattisgarh)
3. District Education Officer, Dhamtari (Chhattisgarh)

---- Respondents

For Petitioner	: Shri Ajay Shrivastava, Advocate
For Respondent/State	: Shri B.Gop Kumar, Dy. A.G.

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

Order On Board

19/12/2016

Heard on admission.

The petitioner has challenged transfer order dated 30.07.2016 by which he has been transferred on the ground that he did not make any application for transfer.

2. It is submitted by learned counsel for the petitioner that the petitioner had preferred a representation to the Directorate on 02.09.2016 and thereafter, no order was passed and now vide order dated 03.12.2016, a direction has been issued for relieving of the petitioner.

3. The representation made by the petitioner that he did not make any application for transfer on his own request, was required to be considered by the competent authority. The

representation was made way back on 02.09.2016.

4. Once there is representation, the State ought to have considered the aspect whether or not the petitioner had filed any application for transfer on his own request. Let the State consider this aspect within a period of four weeks from the date of receipt of copy of this order and for a period of four weeks, no coercive steps shall be taken against the petitioner, if he is not already relieved.

5. The petition is accordingly disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Rekha