

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 4709 of 2016

- S. P. Tandey S/o Aman Tandey, Aged About 59 Years Working As Principal, Govt. Ranjit Krishi Higher Secondary School Pithora, District Mahasamund Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Education Mahanadi Bhavan, Mantralaya New Raipur, District Raipur Chhattisgarh
2. Director Public Instructions, Raipur, District Raipur Chhattisgarh

---- Respondents

For Petitioner : Mr. B.D. Badgayan, Advocate
For State : Mr. Sangharsh Pandey, Dy. Govt. Advocate

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

14/09/2016

Heard.

1. The transfer order has been challenged only on the ground that the petitioner has recently undergone operation and due to post operative care, the petitioner is unable to carry out the transfer order.
2. The only ground to challenge the transfer order is that the petitioner is medically unfit. If that be so, the petitioner would be at liberty to make prayer for medical leave or to seek extension of medical leave already granted to the petitioner as per medical advice. On the aforesaid ground, transfer order cannot be quashed by this Court.
3. The petition is therefore dismissed, however, with liberty to the petitioner to apply for medical leave in accordance with leave rules.

Sd/-
(Manindra Mohan Shrivastava)
Judge