

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No.4389 of 2016

- Roman Lal Sonber S/o Late Shri Mangla Ram Sonber, Aged About 58 Years Lecturer, R/o Quarter No 20, R.E.S. Colony Narharpur, Tahsil Narharpur District Kanker Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of School Educaiton Mahandi Bhawan, Mantralaya, New Raipur, Distirct Raipur Chhattisgarh
2. Collector, Kanker, District Kanker Chhattisgarh
3. District Education Officer, Kanker, District Kanker Chhattisgarh

---- Respondents

For Petitioner	:	Shri M.D. Dhote, Advocate
For Respondent/State	:	Shri Dhiraj Wankhede, GA

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

02/09/2016

Heard.

2. The petitioner has challenged the transfer order dated 20-07-2015 along with relieving order dated 08-08-2016.
3. It is the case of the petitioner that he is NCC Officer posted at the present place and under him, large number of NCC cadets are taking training and at this stage, if he is shifted, NCC cadets will suffer serious problem and they may not be awarded certificates. It is further submitted that the Commanding Officer of the State Level from Raipur has written a letter to the NCC Directorate to look into the matter by stating that shifting of the petitioner at this stage will adversely affect the future of NCC cadets, who are presently under training and required to write "B" & "C" certificate examinations within a short period.

4. It appears that though transfer order was passed on 20-07-2015 presumably on the ground that the petitioner could not be relieved without his reliever-NCC Officer, therefore, he was allowed to continue at the present place of posting. At this crucial juncture, relieving order has been passed. The matter requires consideration by the State Government. Vide memo dated 16-08-2016, the Commanding Officer has already written a letter to the NCC Directorate, Chhattisgarh.

5. Therefore, in this circumstances, I am inclined to direct the respondent No.1 to look into the matter and issue necessary directions. For a period of six weeks, the petitioner shall not be disturbed and allowed to continue at the present place of posting. Within that period, the State Government shall take appropriate decision in the matter keeping in view the requirements of NCC training in the school and other relevant aspects of administrative exigency. The benefit shall inure to the petitioner only, if he submits representation along with a copy of this order before the respondent authority within a period of 10 days from today.

6. With the aforesaid observation, this petition is finally disposed off.

SD/-
(Manindra Mohan Shrivastava)
Judge