

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 4083 of 2017

Krishna Ram Kowachi S/o Late Belsingh Kowachi, Aged About 53 Years
Occupation Block Education Officer, Block Dongargarh, District Rajnandgaon
(Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Education, Mahanadi Bhawan, Post Office Mantrayala, P. S. Rakhi, Naya Raipur, District Raipur Chhattisgarh
2. The District Education Officer, Rajnandgaon, District Rajnandgaon, Chhattisgarh.
3. Shri Devsingh Tripure, S/o Shri S Tripure, Aged About 55 Years Occupation Principal, Govt. Higher Secondary School, Jantar, Block Dongargarh, District Rajnandgaon (Chhattisgarh)

---- Respondents

For Petitioner	:	Shri Vipin Tiwari, Advocate
For State	:	Shri Avinash Singh, Panel Lawyer

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

Order On Board

12/09/2017

Heard.

1. The petitioner is aggrieved by the transfer order inasmuch as the place where the petitioner has been transferred, incumbent is continuing without there being any order in his favour.
2. Learned counsel for the petitioner submits that when the petitioner was relieved from present place of posting and sought joining in the Govt. Higher Secondary School Jantar, Block- Dongargaon, respondent No.3 claimed to be continuing as Principal in that school and refused to handover charge by submitting that he is not transferred anywhere.
3. The petitioner cannot be left in lurch. It appears that respondent No.3 is not prepared to give charge to the petitioner because, presumably, he is not

transferred anywhere and from the place where the petitioner was presently working, he has been relieved. In these circumstances, if the petitioner has not handed over charge, he should continue in the present place of posting as Block Education Officer, Block Dongargaon, District- Rajnandgaon, In case charge has already been taken, the petitioner shall submit his joining in the office of District Education Officer, District -Rajnandgaon and shall continue till appropriate orders are passed in the matter. The petitioner's salary shall continue to be paid and there shall be no interruption because he cannot be faulted for the present situation.

4. With the observation and direction as above, the petition is finally disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Praveen