

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 4319 of 2017

Ramphool Aditya S/o Shri Kaushal Prasad Aditya, Aged About 57 Years R/o Shukulpara Kharod, Tahsil Pamgard, Police Station Shivrinarayan, District- Janjgir, Champa, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of School Education , Mantralaya, Mahanadi Bhawan, New Raipur Police Station Rakhi, District Raipur, , Chhattisgarh.
2. District Education Officer, District Janjgir- Champa, Chhattisgarh.

---- Respondents

For Petitioner	:	Mr. Prateek Sharma, Advocate
For State	:	Mr. Chandresh Shrivastava, Panel Lawyer

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

31/08/2017

Heard.

1. The petitioner has filed this petition aggrieved by order dated 14.08.2017, by which, the petitioner has been transferred at the option of District Education Officer, Janjgir.
2. Learned counsel for the petitioner submits that earlier the petitioner was transferred from Behla to Shivrinarayan on his own request vide order dated 30.07.2016 and after one year, the petitioner has been transferred to District Janjgir Champa at the option of District Education Officer which shows that there is no administrative exigency. It is also submitted that no one has been posted at the place of the petitioner.
3. Under the present transfer policy dated 11.07.2017, an employee, who has completed one year of service, would become due for transfer. Though the petitioner was earlier brought to Shivrinarayan on his own request, the transfer policy does not show any provision that presently, the petitioner, on

his own request, will not be shifted. Further the order shows that the petitioner's transfer has been made on administrative exigency because the petitioner has been transferred at the option of District Education Officer. Therefore, the matter does not call for interference by this Court. However, the petitioner may prefer representation before the authority if he intends to continue at the present place of posting. If such representation is made, the same shall be considered and decided within four weeks from the date of receipt of copy of this order.

4. The petition is accordingly disposed off.

Sd/-

(Manindra Mohan Shrivastava)
J U D G E