

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 5023 of 2017

S. N. Rai S/o Shri Deo Prayag Rai Aged About 52 Years R/o Behind Sheetla Mandir,
New Changorabhata, Police Station Rohinipuram, Civil & Revenue District Raipur.

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, School Education Department,
Mantralaya, Raipur, District Raipur Chhattisgarh.
2. District Education Officer, Raipur, District Raipur Chhattisgarh.

---- Respondents

Shri Mayank Chandrakar, counsel for the petitioner/s.
Shri Arvind Singh, Panel Lawyer for the State.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

22/09/2017

The transfer order is under challenge by the petitioner on the ground that the transfer order is against the administrative exigency as the petitioner is the only Teacher of Maths in the school teaching 9th to 12th standard and if he is transferred, there will be no Teacher of Maths in the present school. According to the petitioner, no other Teacher of Maths has been posted in his place and the school where he is transferred, there is already a Maths teacher.

2. The aforesaid submission needs verification and if it is found that there is no Maths Teacher left in the institution, either the petitioner has to be continued or some other Maths Teacher will have to be posted in the institution. As the petitioner is presently posted in the institution since 2008, he could always be transferred but it has to be ensured that there is another Teacher of Maths for teaching students.

3. The matter be decided by the competent authority within a period of four weeks from the date of receipt of copy of this order.

For a period of four weeks, no coercive steps shall be taken against the

petitioner and in any case, petitioner's relieving would be permissible only when another Teacher of Maths is posted at his place.

4. With the aforesaid observations, this petition is finally disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Deepti