

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 4304 of 2016**

- Padman Ratre S/o Shri Chootu Ram Ratre, Aged About 32 Years Working As Assistant Teacher Panchayat At Govt. Primary School Amlibhouna, Tahsil Pusour, District Raigarh R/o Village & Post Taparda, Tah Pusour, District Raigarh Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Panchayat & Rural Development Department, Mantralaya, Mahandi Bhawan, Naya Raipur Chhattisgarh
2. The Collector, Raigarh, District Raigarh Chhattisgarh
3. Chief Executive Officer, Zila Panchayat Raigarh, District Raigarh Chhattisgarh
4. Chief Executive Officer, Zila Panchayat, Balodabazar, District Baloda Bazar Bhatapara Chhattisgarh
5. Chief Executive Officer, Janpad Panchayat Pusor, District Raigarh Chhattisgarh
6. Head Master, At Govt. Primary School Amlibhouna, Tahsil Pusour, District Raigarh Chhattisgarh

---- Respondent

For Petitioner : Shri R.S. Patel, Advocate.
 For Respondent/State : Shri Ramakant Mishra, Deputy AG.

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****25/10/2017**

1. The petitioner is an Assistant Teacher (Panchayat). He is aggrieved by

the impugned transfer order dated 18.4.2016 and the order dated 19.8.2016 whereby he has been transferred in the same capacity from Primary School, Amlibhouna, Block Pussor, District Raigarh to District Baloda Bazar.

2. In the matter of **Smt. Geeta Sukhdev Vs. State of Chhattisgarh & Others** (WPS No.1273/2016 & other connected matters), decided on 23.12.2016, the coordinate Bench has held that inter-district transfer of Assistant Teacher (Panchayat) is not permissible as the concerned Zila Panchayat lacks jurisdiction and competence to pass such inter-district transfer order. This Court also reserved liberty in favour of the competent authority in effecting rationalization and posting of Assistant Teacher (Panchayat) within same Zila Panchayat in accordance with the State Government's rationalization policy.
3. In view of the above, the impugned orders are quashed. The petitioner shall be allowed to continue at Primary School, Amlibhouna, Block Pussor, District Raigarh. However, liberty is reserved in favour of the respondents to pass fresh order depending upon the obtaining administrative exigency.
4. The Writ Petition is accordingly disposed of.

Sd/-
Judge
(Prashant Kumar Mishra)