

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3939 of 2017

S.P.Jaiswal S/o Late Shri Ramdulare Jaiswal, Aged About 61 Years Posted As Block Education Officer, At Office Of Block Education Officer Ambikapur, District Sarguja; R/o Village Lakhanpur, Tahsil Lakhanpur District Sarguja (Chhattisgarh).

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, School Education Department, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur, Chhattisgarh.
2. Collector Sarguja, District Sarguja Ambikapur (Chhattisgarh).
3. District Education Officer, Sarguja, District Sarguja Ambikapur (Chhattisgarh).
4. Sunil Datt Pandey, Principal, Government Boys Higher Secondary School, Lundra District Sarguja (Chhattisgarh).

---- Respondents

For Petitioner	:	Shri Mateen Siddiqui, Advocate
For State	:	Shri Satish Gupta, Govt. Advocate

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

Order On Board

25/08/2017

Heard.

1. The transfer order passed by the State Govt. is under challenge mainly on the ground that the petitioner is going to retire within seven months and there is a policy of the Govt. that those Govt. servants who were going to retire within a period of one year, they would be posted in their home district or a district of their option. Therefore, unless the option is given to the petitioner, he ought not to be transferred by the impugned order.
2. Considering the aforesaid policy of the Govt., it would be appropriate that

the petitioner's case is considered on a representation to be made by the petitioner within a period of 10 days from today.

3. In case the said representation is made, the same shall be considered and decided within a period of four weeks and appropriate order shall be passed consistent with the policy and till the decision is taken, the petitioner shall be allowed to continue at the present place of posting.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Praveen