

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**WPS No. 4041 of 2017**

Ajeem Qureishi S/o S/o Late Dr. Kasim Khan, Aged About 61 Years Occupation  
Block Education Officer, Block Narharpur, District Kanker (Chhattisgarh)

**---- Petitioner**

**Versus**

1. State Of Chhattisgarh Through Secretary, School Education Department,  
Mahanadi Bhawan, New Raipur, Mantralaya, District Raipur (Chhattisgarh)
2. The Collector, Kanker, District North Bastar, Kanker (Chhattisgarh)
3. The District Education Officer, Kanker, District Uttar Bastar, Kanker  
(Chhattisgarh)
4. Shri Pharas Ram Salam, Block Education Officer, Block Mohla, District Kanker  
(Chhattisgarh)
5. Shri B. L. Jain, Block Education Officer, Block Kanker, District Kanker  
(Chhattisgarh)

**---- Respondents**

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Shri S.K.Thomas, counsel for the petitioner/s.  
Shri Chandresh Shrivastava, Panel Lawyer for the State.

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**Hon'ble Shri Justice Manindra Mohan Shrivastava**

**Order On Board**

**25/08/2017**

Heard.

The petitioner has been transferred from the present place of posting as Block Education Officer, Block – Narharpur to the post of Principal in a school at Kodagaon in the same district. According to learned counsel for the petitioner, his place of posting is about 40-50 kms.

2. The main ground of challenge is that the petitioner is going to retire in three months. There is also a policy of the Government that a Government Servant who is going to retire within one year, shall be entitled to give option for posting at a place of his option or at his home district. But as the home district

of the petitioner is in Madhya Pradesh, this clause is not workable.

3. Even then, considering that the petitioner is going to retire within three months, the authority may consider the exigency which overwrites the fact that the petitioner is going to retire in three months. Representation may be filed by the petitioner and the same may be considered and decided by the respondents within three weeks from the date of receipt of representation.

Within a period of three weeks, no coercive steps shall be taken against the petitioner.

4. Petition is finally disposed off.

Sd/-

**(Manindra Mohan Shrivastava)**  
**Judge**