

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 4148 of 2016

- Resham Lal Gendle S/o Bhagirath Gendle, Aged About 57 Years, Posted As Head Master At Primary School Toja, Block Bharatpur, Distirct Koriya, R/o Village Toja, Tahisl Bharatpur District Koriya Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary School Education Department, Mantralaya Mahanadi Bhawan, Naya Raipur District Raipur Chhattisarh
2. Collector, Koriya District Koriya, Baikunthpur, Chhattisgarh
3. District Education Officer, Baikunthpur, District Koriya, Baikunthpur, Chhattisgarh
4. Block Education Officer, Bharatpur District Koriya, Baikunthpur Chhattisgarh

---- Respondents

For Petitioner	Shri Ishan Verma, Advocate
For Respondent-State	Shri Satish Gupta, GA

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

04/04/2017

1. The petitioner has challenged the impugned order dated 30.07.2016 (Annexure P-1), whereby the petitioner has been transferred from Primary School, Toja, Bharatpur, District Koriya to Primary School, Majhgawa, Sonhat, District Koriya

showing administrative exigency. On 05.09.2016, this Court allowed the petitioner to remain posted at the present place of posting and since thereafter, the petitioner is enjoying the interim relief.

2. Learned State counsel would submit that since the petitioner is enjoying interim relief for last about 7 months, the respondents may be permitted to pass fresh transfer order, if any administrative exigency arises.
3. In view of the above, it is directed that respondents shall not insist upon the implementation of impugned transfer order, however, they would be at liberty to pass fresh order in accordance with law on the basis of obtaining administrative exigency.
4. In view of the aforesaid observation, the writ petition is disposed of.

Sd/-

JUDGE
PRASHANT KUMAR MISHRA

Nirala