

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No.4358 of 2017

- Dr. Suresh Prasad Tiwari (S.P. Tiwari) S/o Late Shri K.P.Tiwari, Aged About 62 Years Principle, Government Boys Higher Secondary School, Mendrakala, Block Ambikapur District- Surguja Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through: Secretary, School Education Department, Mantralaya, Mahanadi Bhawan New Raipur, Chhattisgarh.
2. Collector, Surguja Chhattisgarh.
3. District Education Officer, Ambikapur, District- Surguja Chhattisgarh.

---- Respondents

For Petitioner	:	Shri Rahul Mishra, Advocate
For Respondent/State	:	Shri Satish Gupta, GA

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

31/08/2017

Heard.

2. Transfer order dated 14-08-2017 is under challenge mainly on the ground that the petitioner has been transferred from the present place of posting though he is attaining the age of superannuation on 31-08-2017, however, his service tenure has been extended till the end of educational session i.e. 31-03-2018 only.
3. At the time, when the petitioner is transferred by the impugned transfer order, he has 15 days left for retirement. In clause 1.9 of the transfer policy, it is specifically provided that an employee, who is going to retire within a period of one year, he has to be posted either at the home district or the place of his option.
4. In view of above, it is directed that the petitioner shall be allowed to continue at the present place of posting till he retire and the respondents shall properly modify the transfer order in respect of the petitioner.

5. Accordingly, this petition is allowed.

SD/-
(**Manindra Mohan Shrivastava**)
Judge