

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 4442 of 2017

Radheshyam Sahu S/o Late Shri Basant Ram Sahu Aged About 57 Years Posted As Head Master, Government Middle School, Block Ramanujnagar, District-Surajpur, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, School Education Department, Mahanadi Bhawan, Mantralaya, Naya Raipur, Raipur, Chhattisgarh
2. Director, Directorate Of Education, Indrawati Bhawan, Naya Raipur, Raipur, Chhattisgarh
3. Jaglal Sonwani, Head Master, Government Middle School, Binjhiyapara Tejpur Block Ramanujnagar, District Surajpur, Chhattisgarh

---- Respondents

For Petitioner	:	Shri Anup Majumdar, Advocate
For State	:	Shri Chandresh Shrivastava, Panel Lawyer

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

Order On Board

04/09/2017

Heard.

1. Learned counsel for the petitioner submits that under even number, two orders of transfer have been issued on 14.8.2017. In one order, the petitioner is shown to have been transferred on the basis of mutual consent with respondent No.3 whereas in other order, the petitioner has been shown to be transferred on administrative exigency.
2. There appears to be some discrepancy in the matter because it is submitted that the petitioner had not submitted any application for mutual transfer. Therefore, the transfer has to be treated as administrative in the nature. The petitioner has remained posted at this place since 2013.
3. Therefore, the petitioner shall be allowed to proceed on transfer by treating it only administrative order and not mutual consent transfer as no prayer for

mutual transfer has been made by the petitioner at any point of time.

4. The petition is accordingly disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Praveen