

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****WPS No. 5472 of 2017**

- Manilal Singh S/o Shri Rambahadur Singh Aged About 41 Years Occupation- Service, Posted As Sikshak Panchayat(Grade-2) At Government Middle School Koteya, Block And Tehsil Ambikapur, District Surguja, Chhattisgarh. R/o Village Chindkalo, Post And Police Station- Darima, Block Ambikapur, Tehsil- Ambikapur, District Surajpur, Chhattisgarh. (Date Of Joining At Middle School Koteya, 10/08/2006)

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Department Of Panchayat And Rural Development, Mahanadi Bhawan, Naya Raipur, District Raipur, Chhattisgarh.
2. Zila Panchayat, Surguja(Ambikapur), Through Chief Executive Officer, Ambikapur, Revenue And Civil District Surguja, Chhattisgarh.
3. Collector, Surguja, Revenue And Civil District Surguja, Chhattisgarh.
4. District Education Officer, Surguja(Ambikapur), Revenue And Civil District Surguja, Chhattisgarh.
5. Block Education Officer, Ambikapur, Revenue And Civil District Surguja, Chhattisgarh.
6. Shri Narendra Kumar Bharti Aged About 37 Years Occupation- Service, Posted As Head Master At Government Middle School Koteya, Tehsil Ambikapur, District Surguja, Chhattisgarh.
7. Smt. S. M. Tirkey Aged About 55 Years Occupation- Service, Posted As Sikshak Panchayat At Government Middle School Koteya, Block Darima, Tehsil Ambikapur, District Surguja, Chhattisgarh. (Date Of Joining At Middle School Koteya, 02/09/2006)
8. Smt. Sangita Baxla, Aged About 35 Years Occupation Service, Posted As Sikshak Panchayat At Government Middle School Koteya, Block Darima, Tehsil Ambikapur, District Surguja, Chhattisgarh. (Date Of Joining At Middle School Koteya- 13/10/2006)

9. Kamlesh Kumar, Aged About 37 Years, Occupation- Service, Posted As Sikshak Panchayat At Government Middle School Koteya, Block Ambikapur, Tehsil Ambikapur, District Surguja, Chhattisgarh. (Date Of Joining At Middle School Koteya- 08/07/2009)
10. Smt. Suman Puri Aged About 36 Years Occupation- Service, Posted As Sikshak Panchayat At Government Middle School Koteya, Block Ambikapur, Tehsil- Ambikapur, District Surguja, Chhattisgarh. (Date Of Joining At Middle School Koteya, 23/02/2011)
11. Principal, Government Middle School Koteya, Block Ambikapur, Tehsil Ambikapur, District Surguja, Chhattisgarh.
12. Principal, Government Middle School Nimha, Block Lakhanpur, Tehsil- Lakhanpur, District Surguja, Chhattisgarh.

---- Respondent

For Petitioner	Mr. Surfaraz Khan, Advocate
For Respondent /State	Mr. Adhiraj Surana, Dy. GA

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

23/10/2017

1. Heard.
2. It is argued that the petitioner is the senior most Teacher at the Middle School, Kotaya, Block Ambikapur, yet he has been declared surplus and transferred to Middle School, Nimha, Block Lakhanpur to teach English subject. It is also argued that another teacher, who was subsequently posted at Kotaya, has been retained in the School to teach English subject, therefore, the petitioner should have been allowed to work at the present place of posting for teaching English subject, as he is previously appointed teacher in the Kotaya school in the year 2006.

3. The petitioner has not annexed the norms informing the procedure or parameters for declaring a teacher as surplus at a particular place of posting nor the list of surplus teachers prepared by the Zila Panchayat has been annexed to the writ petition.
4. Therefore, to decide these administrative matters, it would be appropriate to allow the petitioner to prefer a representation before the Zila Panchayat, Sarguja, Ambikapur raising his grievance against the impugned transfer order dated 25.8.2017.
5. Let the petitioner prefer representation within a period of 02 weeks from today and thereafter, the Zila Panchayat shall decide the same within next 8 weeks after affording opportunity of hearing to respondents 7 to 10.
6. For a period of 10 weeks or till the representation is decided, whichever is earlier, the status quo in respect of the petitioner's posting shall be maintained.
7. The writ petition is accordingly disposed of. Sd/-

Judge

(Prashant Kumar Mishra)

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