

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 6164 of 2016

- Dwarika Prasad Mishra S/o Late Shri Kripal Mishra Aged About 50 Years UDT, Government Middle School, B.Seem, Khongapani, Police Station- Jhagrakhand, Block- Manendragarh, District- Korea, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through- Under Secretary, School Education Department, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur, Chhattisgarh
2. The Director, Public Instruction, Chhattisgarh Government, Raipur, Distt-Raipur, Chhattisgarh.
3. The Commissioner, Surguja Division, Ambikapur, Chhattisgarh
4. The Collector, Baikunthpur, District - Korea, Chhattisgarh
5. The District Education Officer, District- Korea, Chhattisgarh
6. The Block Education Officer, Block- Manendragarh, District- Korea-Chhattisgarh

---- Respondents

For Petitioner
For Respondent-State

Ms. A. Rajput, Advocate
Shri Sameer Behar, PL

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

05/12/2017

1. The petitioner has challenged the impugned order dated 30.07.2016, whereby the petitioner has been transferred from Government Middle School, Bundeli, Block Manendragarh to Government Middle School, Bela, Block Bharatpur, District Korea showing administrative exigency. On 10.11.2016, 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 more than one year, 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