

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3944 of 2016

- Jagdish Prasad Kesharwani S/o Shri Kalachand Kesharwani, Aged About 54 Years Posted As Upper Division Teacher Middle School Chhal, Block Dharamjaigarh, District Raigarh Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, School Education Department Mahanadi Bhavan, P.S. Rakhi, New Raipur, District Raipur Chhattisgarh
2. The Director, Directorate Public Instruction Chhattisgarh Raigarh Chhattisgarh
3. The Collector, Raigarh, District Raigarh Chhattisgarh
4. District Education Officer, Raigarh, District Raigarh Chhattisgarh
5. Block Education Officer, Dharamjaigarh, District Raigarh Chhattisgarh

---- Respondent

And

WPS No. 3520 Of 2016

- Virendra Singh S/o Shri Suresh Singh, Aged About 51 Years Posted As Upper Division Teacher, Middle School, Behramar, Block-Dharamjaigarh, District- Raigarh, Chhattisgarh

---- Petitioner

Vs

1. State Of Chhattisgarh Through The Secretary, School Education Department, Mahanadi Bhawan, New Raipur, P.S.- Rakhi, District-Raipur, Chhattisgarh
2. The Director, Directorate Public Instructions, Chhattisgarh, Raipur, Chhattisgarh
3. The District Education Officer, Raigarh, District Raigarh, Chhattisgarh
4. The Block Education Officer, Dharamjaigarh, District Raigarh,

Chhattisgarh

5. Neelambar Dadsena, Posted As Upper Division Teacher, Middle School, Narharpali, Block- Kharsia, District- Raigarh, Chhattisgarh
6. The Collector, Raigarh, District Raigarh (CG)

---- Respondent

For Petitioners : Shri K.K. Pandey, Advocate.

For Respondent/State : Shri Arvind Dubey, Panel Lawyer.

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

29/03/2017

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1. The petitioner would assail the order passed by the Collector, Raigarh transferring him from Middle School, Chhal, Block Dharamjaigarh to the Middle School, Amgaon, Block Tamnar.
2. The petitioner is continuing at his present place of posting on the strength of interim order passed by this Court, which is operative for the last more than 7 months.
3. It appears, no other Upper Division Teacher has been posted in place of the petitioner at Chhal.
4. In the circumstances, instead of keeping this Writ Petition pending, the same is disposed of with an observation that the respondents shall not insist on implementation of the impugned transfer order. However, the respondents would be at liberty to pass fresh transfer order if the

administrative exigency so arises in future.

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5. The petitioner would assail the order passed by the Collector, Raigarh transferring him from Middle School, Behramar, Block Dharamjaigarh to the Middle School, Dhoram, Block Gharghoda.
6. The petitioner is continuing at his present place of posting on the strength of interim order passed by this Court, which is operative for the last more than 7 months.
7. It appears, no other Upper Division Teacher has been posted in place of the petitioner at Behramar.
8. In the circumstances, instead of keeping this Writ Petition pending, the same is disposed of with an observation that the respondents shall not insist on implementation of the impugned transfer order. However, the respondents would be at liberty to pass fresh transfer order if the administrative exigency so arises in future.

Sd/-
Judge
(Prashant Kumar Mishra)

Barve