

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 818 of 2017

Satyendra Kumar Sinha S/o Shri Shivnandan Prasad Sinha, Aged About 55 Years
Head Master, Government High School, Singibahar Block Farsahabar, District R/o
Adarsh Nagar, Kunkuri District Jashpur Civil And Revenue District Jashpur
Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, School Education Department Mahanadi Bhavan, Mantralay, New Raipur Chhattisgarh
2. Director, School Education Development, Indrawati Bhavan, New Raipur Chhattisgarh
3. Assistant Commissioner, Tribal Development Jashpur, District Jashpur Chhattisgarh
4. District Education Officer, Jashpur District Jashpur Chhattisgarh
5. Block Education Officer, Farsababar, District Jashpur Chhattisgarh

---- Respondents

Shri Manoj Kumar Sinha, counsel for the petitioner/s.
Shri R.K.Gupta, Dy.A.G. for the State.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

17/02/2017

Heard.

Amongst various grounds, one of the ground taken by the petitioner against impugned order is that the petitioner is handicapped by his left limb to the extent of 65% and the school where he is now being posted, there is no conveyance facility whereas at the present place, he had conveyance facility of a bus and it was not difficult for him to reach the school.

2. The other grounds apart, the ground of differently abled requires consideration by the District Education Officer to explore possibility of posting the

petitioner in a school where the petitioner is not subjected to agony of undertaking travel on foot for a long distance.

3. The cases of those, who are differently abled members of the society, require a different approach in all the matters of transfer or otherwise. In such cases, they need to be given proper consideration to make best efforts to ensure that their disability does not come in the way of their day today life. It is expected that the District Education Officer, while considering the case of the petitioner, shall keep his mind sensitized while making decision. Till representation of the petitioner is decided, he shall not be compelled to proceed on transfer.

There appears to be some dispute with regard to payment of salary also. That may also be looked into by the District Education Officer.

4. With the aforesaid observation, the petition is finally disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge