

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 4043 of 2015

- Partoram Tirkey, S/o Shri Shaniyaram, Aged About 60 Years, Presently Posted As Head Master, Primary School Lalpur, R/o Village And Post Kedma, Block Udaipur, Police Station Udaipur, District Surguja Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Government Of Chhattisgarh, School Education Department, Mahandi Bhawan, Mantralaya, Naya Raipur, Chhattisgarh
2. The Director, Directorate Of Public Instructions, Indrawati Bhawan, Naya Raipur, Chhattisgarh
3. The Commissioner, Surguja Division, Ambikapur, District Surguja Chhattisgarh
4. The Collector, District Surguja Chhattisgarh
5. The District Education Officer, District Surguja, Ambikapur, Chhattisgarh

---- Respondents

For Petitioner	:	Shri Vimlesh Bajpai, Advocate
For Respondent/State	:	Shri Chandresh Shrivastava, Panel Lawyer

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

06/03/2017

1. With the consent of counsel for the parties, the matter is disposed of finally.
2. Petitioner has challenged the transfer order dated 20/07/2015 only on the ground that the petitioner is at the fag end of service and because of ill health also, he may be allowed to continue at the present place of posting. It was also urged that the competent authority did not consider the application/representation of the petitioner.
3. On the other hand learned State counsel has submit that transfer is an incident of service. It is also submitted that there no impediment in

transferring an employees only on the ground of he being more than 60 years.

4. Having heard learned counsel for the the parties and what has been stated earlier on 05/11/2015, it would be appropriate that the authority concerned/Commissioner decides the petitioner's representation by speaking order.
5. Till the order is passed by the Commissioner, the petitioner shall not be compelled to proceed on transfer.
6. Accordingly, the petition is disposed of.

Sd/-

(Manindra Mohan Shrivastava)
Judge