

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 5497 of 2016**

- D. S. Dhruv S/o Late Shri Jagannath Dhruv, Aged About 56 Years Head Master Primary School Tothasariya Block Nagri, District Dhamtari Chhattisgarh (In Transfer Order Name Wrongly Mentioned As D.S. Netam)

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Education Mahanadi Bhavan, Mantralaya, New Raipur, District Raipur Chhattisgarh
2. Collector, Dhamtari Chhattisgarh

---- Respondent

For Petitioner : Shri Ajay Shrivastava, Advocate.
For Respondents : Miss Sunita Jain, Panel Lawyer.

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****29/03/2017**

1. The petitioner would assail the order dated 30.7.2016 whereby the petitioner has been transferred in the same capacity from Primary School, Thothajhariya to Primary School, Kallemeda in the same block.
2. The transfer order has been issued affecting the petitioner by mentioning that he has been transferred at his own request on mutual basis whereas, according to the petitioner, he has never made any request for mutual transfer with any other Headmaster working in the Nagri Block.
3. The petitioner is still working at Thothajhariya on the strength of the interim order passed by this Court on 5.10.2016.

4. Despite number of opportunities return has not been filed by the State.
5. In the circumstances, instead of keeping this writ petition pending, ends of justice would be served if the respondents are directed not to insist upon implementation of the impugned order against the petitioner. However, it will remain open for the respondents to pass fresh orders in the event administrative exigency so arises.
6. With the aforesaid observations/directions, the Writ Petition stands disposed of.

Sd/-
Judge
(Prashant Kumar Mishra)

Barve