

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 5994 of 2016

- Nilmani Khalkho D/o Emil Khalkho, Aged About 55 Years Working As Principal At Government Higher Secondary School Sargava, Ambikapur, District Surguja Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, ff School Education Department, Mantralaya Capital Complex, Mahanadi Bhawan Naya Raipur, District Raipur Chhattisgarh
2. Deputy Secretary of School Education Department, Mantralaya Capital Complex Mahanadi Bhawan Naya Raipur District Raipur Chhattisgarh
3. District Education Officer, Ambikapur, District Surguja Chhattisgarh

---- Respondents

For Petitioner	Shri A. K. Yadav, Advocate
For Respondent-State	Shri Rajendra Tripathi, PL

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

04/04/2017

1. Without adverting to the finer details, it would be adequate to notice that the petitioner was promoted from the post of Principal, High School to the post of Principal, Higher Secondary School on 08.03.2010, whereas by the impugned transfer order, the petitioner has again been posted as Principal of High School.
2. Even if the transfer order refers to existence of administrative exigency as the ground for transferring the petitioner, the order of

transfer amounts to sending the petitioner to a lower post than the one on which he has been promoted on 08.03.2010.

3. The petitioner was allowed to continue at the present place of posting by interim order dated 10.11.2016.
4. In the facts and circumstances of the case, since the impugned transfer order affects the petitioner's status to which he has earlier been promoted, the impugned order deserves to be and is hereby quashed.
5. The writ petition stands allowed.

Sd/-

JUDGE

PRASHANT KUMAR MISHRA

Nirala