

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 4507 of 2015**

- Vishanu Ram Kunjam S/o Shri Aalam Singh, Aged About 33 Years Working As A Posted Assistant Teacher Panchayat At Govt. Primary School, Saraitola, Block Narharpur, Distt. Kanker (Chhattisgarh), R/o Village Barkay, Post Sarvandi, Tahsil Narharpur, Police Station Narharpur, Civil & Revenue Distt. Kanker, (Chhattisgarh)

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Panchayat And Rural Development Department, Raipur, Mantralaya, Mahanadi Bhawan, Naya Raipur, Distt. Raipur, (Chhattisgarh)
2. Director, Public Education Directorate, Indrawati Bhawan, Raipur, Distt. Raipur, (Chhattisgarh)
3. Collector, Kanker, Distt. Kanker, (Chhattisgarh)
4. Chief Executive Officer, Zila Panchayat Kanker, Distt. Kanker, (Chhattisgarh)
5. Chief Election Officer, Chhattisgarh Indravati Khand, Mantralaya, Raipur, Distt. Raipur, (Chhattisgarh)

---- Respondents

For Petitioner:

Mrs. Indira Tripathi, Advocate

For State :

Mr. B. Gopa Kumar, Dy. Advocate General

Hon'ble Shri Justice P. Sam Koshy**Order on Board****24.03.2017**

1. The challenge in the present Writ Petition is the order dated 31.10.2015 which is an order of transfer which has been issued by the Chief Executive Officer, Zila Panchayat North Bastar, Kanker. Vide the said order the Petitioner's name appears at serial number 193 showing him to have been transferred from the Govt. Primary School, Saraitola, Block Narharpur, district Kanker to district Rajnandgaon.

2. The contention of the Petitioner is that the Chief Executive Officer is not the competent authority to make a transfer outside the district and the issue involved in the present Writ Petition is no longer *res-integra* and stands decided in a bunch of Writ Petition decided by this Court in Writ Petition (S) 1273 of 2016 and other connected Writ Petitions decided on 23.12.2016.
3. Similar issue has again in a bunch of Writ Petition which came up before the Coordinate Bench of this Court in Writ Petition (S) No. 4459 of 2015 and other connected Writ Petitions. The said bunch of Writ Petitions were also decided on 23.01.2017 in the terms of order dated 23.12.2016 passed in Writ Petition (S) No. 1273/2016.
4. After verification of the facts of the present case the State Counsel does not dispute for the present Writ Petition to be also disposed off in terms of the Writ Petition (S) No. 1273 of 2016.
5. In view of the same this Court is inclined to allow the present Writ Petition also in similar terms as per the order dated 23.12.2016 passed in Writ Petition (S) No. 1273/2016.
6. The present Writ Petition stands allowed in the aforesaid terms.

Sd/-

(P. Sam Koshy)
JUDGE