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HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 4941 of 2018**

Ramkhilawan Tondon S/o S/o Late Makrudas Tondon Aged About 40 Years R/o Village Thelkadih, Post Mahrum Kala, Tehsil Khairagarh, District Rajnandgaon, Chhattisgarh.

Present Posting Posted As Lecturer Panchayat Government Higher Secondary School, Mohara, Block Dongargarh, District Rajnandgaon, Chhattisgarh.

Transferred Place Posted As Lecturer Panchayat, Government High School Pendakondo, Block- Mohla District Rajnandgaon, Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, School Education Department Mahanadi Bhawan, Naya Raipur, District Raipur, Chhattisgarh.
2. Director, Directorate of Public Education, Government Science College Campus, Raipur, District Raipur, Chhattisgarh.
3. The Collector Rajnandgaon, District Rajnandgaon, Chhattisgarh.
4. District Education Officer, District Rajnandgaon, Chhattisgarh.

----Respondents

For Petitioner	:	Mr. Lalit Jangde, Advocate
For State	:	Mr. Arvind Dubey, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy**Order on Board****29/08/2018**

1. The challenge in the present writ petition is to the order Annexure P/1 dated 13.07.2018. By the said impugned order of transfer the petitioner has been posted from Higher Secondary School, Mudiya Mohara, Dongargarh to the High School, Pendakondo.
2. The reason assigned in issuing the order of transfer was that there was insufficient number of teachers at the different schools and that necessiated the issuance of the transfer.
3. According to the petitioner, the pain perusal of the order of transfer itself would reveal that the place from where the petitioner has been

sent, some other person is coming at the same place and subject, who could easily have been sent at the place where the petitioner is being sent, so as to avoid inconvenience to four different persons.

4. The petitioner further drew the attention in respect of the person whose name appears at serial No. 7, who too has been sent at the same place where the petitioner is being sent and in her place also someone else is being sent at the same place, where she has been relieved from. This further would establish that the District Education Officer could have simply transferred those persons who are being sent in place of petitioner to the place where the petitioner has been posted.
5. Having not done so, according to the petitioner it is a case of malafides and pick & choose where the District Education Officer has given a better place of posting to the persons who are close to them.
6. Given the said facts, the only relief which this Court can now extend to the petitioner is permitting him to make a detailed representation in this regard to the District Education Officer, who in turn shall decide the same at the earliest preferably within a period of 30 days from the date of receipt of the copy of the order of this Court.
7. Meanwhile, if the petitioner has not been relieved, the impugned order shall not be acted upon so far as the petitioner is concerned.
8. The writ petition stands allowed and disposed off.

Sd/-
(P. Sam Koshy)
Judge