

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 6745 of 2018**

M. Murlidhar Patnaik S/o M.A.R. Patnaik Aged About 58 Years R/o Devendranagar, Sector-3, House No. 110, Raipur, District- Raipur, Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Education Department, Mahanadi Bhavan, Mantralaya, New Raipur, District- Raipur, Chhattisgarh.
2. Collector Raipur, District- Raipur, Chhattisgarh.
3. Director Public Instructions Indrawati Bhawan, Naya Raipur, Chhattisgarh.
4. District Education Officer Raipur, District- Raipur, Chhattisgarh.

----Respondents

For Petitioner	:	Mr. H.B. Agrawal, Sr. Advocate along with Ms. Preeti Yadav, Advocate
For State	:	Mr. Syed Majid Ali, Dy. G.A.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****10/10/2018**

1. The defaults pointed out by the Registry for the moment stand ignored.
With the consent of the parties, the matter is heard and is being finally disposed off at the motion stage.
2. The challenge in the present writ petition is to the order Annexure P/2 dated 20.09.2018 to the extent of the place of posting that has been given to the petitioner.
3. Counsel for the petitioner submits that the petitioner is a totally blind person and has been granted appointment under the physically handicapped quota and now vide the impugned order he has been promoted from the post of Assistant Grade-III to the post of Assistant Grade-II and while passing the order of promotion, the place of posting of the petitioner has been changed from the office of the District Education

Officer, Raipur to the Govt. Girls Higher Secondary School, Choubey Colony, Block Dharsiwa, District Raipur.

4. The only grievance which the petitioner raises is that by change of place of posting the petitioner would be subjected to great inconvenience on account of his physical disability and therefore prays that the respondents may be directed to reconsider the place of posting for accommodating the petitioner at the same place or at the nearest of the places.
5. The said prayer of the petitioner is not opposed by the respondents.
6. Given the said facts, let the respondent No.4 take a decision so far as the representation of the petitioner which has been made on 28.09.2018 so far as change of posting is concerned.
7. Let the respondent No.4 take a decision in this regard and in this regard the note made by the Collector in the representation dated 28.09.2018 should not come in the way while taking a fresh decision.
8. Meanwhile so far as an interim measure as regards the posting of the petitioner is concerned, the respondents are directed to maintain status quo as it exists today, that is to say that unless a decision is taken by the respondent No.4 at the earliest, the petitioner would be permitted to discharge his duties at the office of the District Education Officer, Raipur.
9. Needless to mention that while deciding the place of posting the authorities ought to have taken a more sympathetic approach considering the challenges which the petitioner faces on account of his disability.
10. With the aforesaid observation, the writ petition is disposed off.

Sd/-
(P. Sam Koshy)
Judge