

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 7109 of 2018**

Chandra Kumar Ghritlahare S/o Late Shri Raghuvar Ghritlahare,
Aged About 49 Years, Substantive Post Principal And At Present
Posted As Block Education Officer, Akaltara, Block Akaltara, District-
Janjgir-Champa, Civil And Revenue District- Janjgir- Champa
Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through- Secretary, School Education
Department, Mahanadi Bhavan, Atal Nagar, New Raipur
Chhattisgarh
2. The Director, Public Instruction, Indrawati Bhavan, 4th Floor, Atal
Nagar, New Raipur Chhattisgarh
3. District Education Officer, Janjgir-Champa, District- Janjgir-Champa
Chhattisgarh
4. The Collector Cum District Election Officer, Janjgir-Champa, District-
Janjgir-Champa Chhattisgarh
5. The District Education Officer, Korba, District- Korba, Chhattisgarh
6. Shri Laxman Lal Saraf, Posted As Lecturer, Government High
School, Bilori, Block-Kartala, District- Korba, Chhattisgarh

---- Respondents

For Petitioner	:	Shri M. K. Sinha, Advocate
For State	:	Shri D. Wankhede, Govt. Advocate

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

26.10.2018

The challenge in the present writ petition is to the order Annexure P-1 dated 04.10.2018 whereby the services of the petitioner have been transferred from Janjgir Champa to Raigarh.

2. The primary contention of the petitioner is that the petitioner has been appointed as a Sector Officer in the upcoming election to be held in the month of November, 2018. Counsel for the petitioner referred to the circular of the GAD dated 08.10.2018 so also the guidelines issued by the Election Commission of India dated 07.01.2017 whereby it has been held that the Officers who have been entrusted with election duty should be protected from being transferred during the election period.

3. Given the said fact, this Court is of the opinion that the petitioner, subject to verification of the fact that he has in fact been assigned with the duty of a Sector Officer/any other election assignment, stands protected under the circular of the State Govt. Accordingly, he would not be relieved till the election duties are over by the State Govt. The respondents would be free to relieve the petitioner in case need so arises after the election duty is over.

4. With the aforesaid observation, the writ petition stands disposed of.

**Sd/-
P. Sam Koshy
Judge**