

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 7258 of 2018**

Ashish Kumar Nag S/o Late Shri K. S. Nag, Aged About 45 Years,
Occupation Block Education Officer, Manendragarh, District- Korla,
Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Education, Mahanadi Bhawan, Post Office Mantralaya, P.S. Rakhi, Atal Nagar, District- Raipur, Chhattisgarh
2. The Under Secretary, Department Of Education, Mahanadi Bhawan, Post Office Mantralaya, P.S. Rakhi, Atal Nagar, District- Raipur, Chhattisgarh
3. The Collector And District Election Officer, Baikunthpur, District- Korla, Chhattisgarh
4. The District Education Officer, Baikunthpur, District- Koriya, Chhattisgarh

---- Respondents

For Petitioner	:	Shri Vipin Tiwari, Advocate
For State	:	Shri Chandresh Shrivastava, P.L.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****01.11.2018**

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 Manendragarh, District Korla to Beejapur.

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**