

HIGH COURT OF CHHATTISGARH AT BILASPUR**Writ Petition (S) No. 1651 of 2019**

R. K. Pathak S/o Shri Mahendra Prasad Pathak, Aged About 59 Years, Presently Posted As Superintendent At Government Higher Secondary School Of Blind, Deaf And Mute, Police Line Colony, Tifra, Bilaspur, District Bilaspur, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Social Welfare, Mahanadi Bhawan, Mantralaya, Atal Nagar, District Raipur Chhattisgarh
2. The Director, Directorate Of Social Welfare, Indirawati Bhawan, Atal Nagar, District Raipur, Chhattisgarh
3. Joint Director, Social Welfare Department, Bilaspur Composite Building, In Front Of Collectorate Building, Bilaspur, District Bilaspur Chhattisgarh

---- Respondents

For petitioner	:	Mr. Jitendra Nath Nande, Advocate
For State	:	Mr. Rahul Mishra, Dy. Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy

Order on Board

08/03/2019

1. The grievance of the petitioner in the present case is the order of transfer dated 20.02.2019 whereby the services of the petitioner have been transferred from Bilaspur to Korba.
2. According to the petitioner, he is a 100% blind person and is working as a Superintendent at the Blind and Deaf School, Bilaspur. Counsel for the petitioner submits that the place where the petitioner is

presently working is being left vacant on the transfer of the petitioner and thereby the students who are undergoing studies there, would be adversely affected by the order of transfer. Moreover, the petitioner has been working at the present place of posting for only about 6 months and for all these reasons the petitioner may not be transferred as of now.

3. Given the facts and circumstances of the case, let the petitioner make a suitable representation in addition to whatever representation that the petitioner has made against the order of transfer and respondent no.1 in turn shall consider the same and decide in accordance with the rules and regulations governing the field. The respondent no.1 shall also take into consideration the administrative exigency at the present place of posting i.e. at Bilaspur and pass an appropriate order within a period of 30 days from the date of receipt of copy of this order.
4. Counsel for the petitioner, at this juncture, submits that no person has joined at the place where the petitioner is working.
5. Given the said fact, there shall be a stay of the effect and operation of the impugned order till the representation of the petitioner is decided.
6. The writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
JUDGE