

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 1171 of 2017**

Prakash Chandra Rathore S/o Shri Bhuvneshwar Prasad Rathore, Aged About 34 Years Teacher Panchayat, Govt. Higher Secondary School, Sothi Sonthi, Block Sakti, District Janjgir Champa Chhattisgarh, R/o Village Prtha, Tahsil Sakti, District Janjgir Champa, Chhattisgarh, Chhattisgarh

---- **Petitioner**

Versus

1. State Of Chhattisgarh Through The Secretary, Panchayat And Rural Development Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur Chhattisgarh, Chhattisgarh
2. Chief Executive Officer, Zila Panchayat, Janjgir Champa, Janjgir, Distirct Janjgir Champa, Chhattisgarh, District : Janjgir-Champa, Chhattisgarh
3. Block Education Officer, Sakti, District Janjgir Champa, Chhattisgarh, District : Janjgir-Champa, Chhattisgarh
4. Rajani Netam, W/o Jagatnarayan Sidar, Aged About 34 Years Teacher Panchayat, Govt. Primary School, Sarkelikala, Block Sakti, District Janjgir Champa, Chhattisgarh, R/o Village Arbhar, Tah Malkharoda, District Janjgir Champa, Chhattisgarh, District : Janjgir-Champa, Chhattisgarh
5. Collector, Janjgir Champa, District Janjgir Champa, Chhattisgarh, District : Janjgir-Champa, Chhattisgarh
6. Director, Public Education Secretariate, Raipur, District Raipur, Chhattisgarh, District : Raipur, Chhattisgarh

---- **Respondents**

None for the petitioner

For State

:

Ms. Sunita Jain, PL

Hon'ble Shri Justice P. Sam Koshy

Order on Board

02/01/2019

1. The challenge in the present writ petition is to the order dated 1.3.2017, wherein by way of an amendment to the earlier order of transfer dated 25.2.2017 place of posting of the petitioner from the Government Primary School, Jetha, Block Sakti to Government Pre Middle School, Sonthi, Block Sakti has been modified and the petitioner by way of an amendment has been ordered to be transferred from Jetha block Sakti to Nandorkhurd Block Sakti. Petitioner has filed the writ petition challenging amendment to the transfer order.

2. This Court vide order dated 9.3.2017 had granted an interim protection to the petitioner. By virtue of which the petitioner continues to work at School at Sonthi.

3. Given the facts that the petitioner continue to remain posted at the school at Sonthi, this Court is of the opinion that ends of justice would meet if the writ petition is disposed off with direction that respondent authorities shall not act upon the impugned order dated 1.3.2017, so far as the petitioner and respondent No. 4 is concerned reserving the right of the respondents to pass a fresh order in case administrative exigency so demands.

4. With the aforesaid observations, present writ petition in its present form stands disposed off. It is ordered that petitioner shall be permitted to continue to work at the Government Pre Middle School at Sonthi, Block Sakti reserving the right of the respondent State to pass fresh order in case if needs so arises.

Sd/-

(P. Sam Koshy)
JUDGE