

HIGH COURT OF CHHATTISGARH AT BILASPURWPS No. 3971 of 2017

Pannalal Sahu S/o Dashru Ram Sahu, Aged About 42 Years, Presently Working As Assistant Teacher Panchayat, Govt. Primary School, Birejhar, Block Dhamdha, District Durg, Chhattisgarh.

---Petitioner

Versus

1. State Of Chhattisgarh, Through The Secretary, Panchayat And Rural Welfare Department, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur, Chhattisgarh.
2. Chief Executive Officer, Zila Panchayat Durg, Chhattisgarh.
3. Amitesh Kumar Tiwari, Assistant Teacher Panchayat, Govt, Primary School, Birejhar, Block Dhamdha, District Durg, Chhattisgarh.

---Respondents

For petitioner	:	None.
For State	:	Ms. Sunita Jain, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

03/01/2019

1. Yesterday when the matter is called, there was no representation on behalf of the petitioner.
2. Today also when the matter is called, there is no representation on behalf of the petitioner.
3. The issue involved in the case is the order of transfer dated 10/08/2017.
4. Vide the said order, the petitioner has been transferred from Government Primary School, Birejhar, Block Dhamdha to the Government Primary School, Sukhrikala, Block Dhamdha, District Durg (C.G.).

5. The order of transfer was questioned on the ground of competency of the officer who has issued the order of transfer.
6. This Court on 25/08/2017 had granted an interim protection to the petitioner by virtue of which the petitioner continues to work at the same place of posting.
7. This Court is of the opinion that ends of justice would meet if the Writ Petition itself is disposed off with a direction that the respondents shall not act upon the impugned order so far as petitioner is concerned any further.
8. However, the right of the respondents stands reserved if on administrative exigency, the petitioner is required to be transferred, a fresh order can be passed by the competent authority as per the service rules governing the field.
9. With the aforesaid observation, the writ petition stands disposed off.

Sd/-

(P. Sam Koshy)
JUDGE