

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 5452 of 2019

P. Xalxo S/o Late Shri Marsel Xalxo Aged About 58 Years Working
As P.T.I., Government Higher Secondary School, Kharsia, District-
Raigarh, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh, Through The Secretary, School Education
Department, Mantralaya, Atal Nagar, New Raipur (C.G.)
2. The Collector, District- Raigarh (C.G.)
3. The Principal, Government Higher Secondary School, Kharsia,
District- Raigarh (C.G.)
4. Ramgopali Patel, posted as PTI, Govt. Higher Secondary School,
Madanpur, Block-Kharsia, District- Raigarh (C.G.)

--- Respondents

For petitioner- Shri C.J.K. Rao and Shri Harish Khuntiya, Advocate.
For State-Shri P. Acharya, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

29/07/2019

Heard.

1. It is contended that the petitioner was transferred from Government
Higher Secondary School, Kharsia to Government Higher Secondary
School Madanpur and in the remark column it shows that the petitioner on
his own has sought transfer. Learned counsel submits that the petitioner
has not made any such application for his transfer, therefore he may not
be transferred on the ground that he has sought transfer. It is submitted
that same has been made to accommodate respondent No.4 who sought
transfer to a particular school.
2. Considering such submission and the fact, the petitioner is directed
to make representation to the grievance committee which has been
constituted by the State as per the transfer policy to establish the fact that

he has not made any application for transfer though has been shown to have been transferred on his own interest. Such fact being finding of fact can be appreciated by the committee itself. Petitioner shall be at liberty to make representation to the committee within a period of 15 days from today and the committee shall adjudicate the same within a further period of 45 days from the date of receipt of representation. In the meanwhile, transfer in respect of the petitioner shall not be given effect to.

3. With such observation, the petition stands disposed of.

Sd/-

(Goutam Bhaduri)

JUDGE