

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 5602 of 2019

1. Sushil Kumar Sinha, S/o Sube Lal Sinha, Aged About 55 Years, Working As Upper Division Teacher, And Posted At Govt. Middle School Bansula, Block: Basna, District: Mahasamund, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Department Of School Education, Mantralaya, Atal Nagar, New Raipur, District: Raipur Chhattisgarh
2. Collector, Mahasamund, District Mahasamund, Chhattisgarh
3. District Education Officer Mahasamund, District: Mahasamund, Chhattisgarh

---Respondents

For Petitioner	:	Mr. Ajay Shrivastava, Advocate.
For State	:	Mr. P. Acharya, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

31.07.2019

1. Learned counsel for the petitioner submits that the petitioner has been transferred from Govt. Middle School Bansula, Block: Basna, District: Mahasamund to Govt. Middle School Bundeli, Block: Bagbahara, District: Mahasamund and the reason has been assigned that he has been transferred on his own expenses whereas he has not made any such request.
2. State Counsel submits that the distance between the two places is only around 32 to 35 Kms.

3. The contention of the petitioner is that he has not made any application for transfer but perusal of the transfer order and the Remark column shows that he has been transferred on his own expenses.
4. Taking into consideration, the facts of the case, liberty is given to the petitioner to make a representation to the Grievance Redressal Committee within a period of 15 days from today and the Grievance Redressal Committee may decide the same within a further period of 30 days from the date of receipt of the representation. Till then the transfer in respect of the petitioner shall not be given effect to.
5. If it is found that the petitioner has made an application for transfer on his own expenses, in such case, it will be open for the State to lodge criminal prosecution.
6. With the aforesaid observations, the present writ petition stands disposed off.

**Sd/-
(Goutam Bhaduri)
Judge**