

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 5733 of 2019

Ashish Kumar Panda S/o Shri Daulat Ram Panda Aged About 44 Years R/o Village Rengalpali Via Pussore, District Raigarh Chhattisgarh., District : Raigarh, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, School Education Department, Mahanadi Bhawan, Mantralaya, New Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. District Education Officer, District - Raigarh Chhattisgarh., District : Raigarh, Chhattisgarh
3. Government Higher Secondary School, Rengalpali Through The Principal, District Raigarh Chhattisgarh., District : Raigarh, Chhattisgarh
4. Collector, District Raigarh, Chhattisgarh

---Respondents

For Petitioner	:	Mr. Prateek Sharma, Advocate
For State	:	Mr. Chandresh Shrivastava, Dy. A.G.

Hon'ble Shri Justice P. Sam Koshy
Order on Board

05/08/2019

1. Counsel for the petitioner at the outset makes a request for permitting him to amend the writ petition to the extent of adding the Collector, District Raigarh as a necessary party, as the impugned order has been issued by the Collector.
2. Not opposed by the State counsel.
3. Accordingly, the prayer is allowed.
4. Let necessary amendment be carried out in the cause title during the course of the day itself.
5. The challenge in the present Writ Petition is to the order [Annexure P/1 dated 12.07.2019](#) whereby the services of the petitioner has been transferred from

Govt. H.S. School, Rengalpali, Pusaur to Govt. H.S. School, Tarkela, Raigarh.

6. The contention of the petitioner is that firstly the petitioner has been given appointment on compassionate basis and whole family is dependent upon the petitioner. Moreover, the son of the petitioner is suffering from mental disorder and wife of the petitioner is also suffering from some medical ailment and needs constant medical attention and treatment. The petitioner is a low paid employee and he is not in a position to shift the entire family from the present place of posting to the transferred place i.e. at Tarkela.
7. Given the aforesaid facts and circumstances of the case, let the petitioner make an appropriate representation to the respondent No.4 i.e. Collector, Raigarh within a period of 7 days from today. The respondent No.4 shall thereafter decide the representation within a further period of 45 days from the date of receipt of the representation.
8. Till the representation of the petitioner is decided, the effect and operation of the impugned order of transfer shall remain stayed.
9. With the aforesaid observations, the present writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge

Ved