

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No. 5823 of 2019

Vinod Singh Bhadoriya S/o Late Shri S.S. Bhadoriya Aged About 50 Years
Lecturer, R/o Quarter No. LIG-4, Bodhghat Colony Jagdalpur, District-
Bastar, Chhattisgarh.

---- Petitioner(s)

Versus

1. State of Chhattisgarh Through Secretary, School Education Department, Mahanadi Bhawan, New Mantralay, District- Raipur, Chhattisgarh.
2. The Director Public Education Department, Indrawati Bhawan, Atal Nagar, District- Raipur, Chhattisgarh.
3. The Collector Bastar Jagdalpur, District- Bastar, Chhattisgarh.
4. The District Education Officer Bastar, Jagdalpur, District- Bastar, Chhattisgarh.

---Respondents

For Petitioner	:	Shri Avinash K Mishra, Advocate.
For State	:	Shri Anshuman Shrivastava, P.L.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

06.08.2019

1. Challenge in the present Writ Petition is to the order dated 20.06.2019 whereby the order of attachment of the petitioner has been cancelled and he has been sent back to his substantive place of posting i.e. at Govt. Higher Secondary School, Bagmohlai.
2. According to counsel for the petitioner, in the impugned order the petitioner has been shown to have been attached at Govt. Higher Secondary School, Puspal whereas, the petitioner has never worked at Puspal neither was he ever attached to the said School. The respondents thereafter issued a corrigendum by amending the said order dated 20.06.2019 on 03.07.2019 (Annexure P/3) where the petitioner has been shown to have been attached to Govt. Higher Secondary School, Nangur and it has been ordered that in the order dated 20.06.2019, the place of attachment be read as Govt. Higher School, Nangur.

3. The contention of the petitioner is that, the spouse of the petitioner also is a Government Teacher and she has also been transferred to a different location altogether i.e. Higher Secondary School, Irikpal, and in the process, the Husband and wife have been sent to two different directions in the District Jagdalpur. According to the petitioner, as per transfer policy, the respondents ought to have considered accommodating the Husband and Wife in government service as far as possible at the same place.
4. Given the aforesaid facts and circumstances of the case, let the petitioner make a detailed representation in this regard to the respondent No.2 within a period of 10 days, who, in turn, shall consider the case of the petitioner particularly keeping in view the transfer policy of the State Govt. which envisages accommodating Husband and Wife as far as possible at the same place, if not nearby, within a further period of 30 days. Till the representation of the petitioner is decided, there shall be stay of the effect and operation of the impugned order so far as petitioner is concerned.
5. The writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

inder