

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 6023 of 2019

Devnarayan Ram S/o Shri Ramgulam Samat Aged About 53 Years Working On The Post Of Assistant Grade- 2 Govt. Girls Higher Secondary School Tatapani Block- Balrampur, Distt- Balrampur- Ramanujganj Chhattisgarh, District : Balrampur, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through - The Secretary, Department Of School Education Mahanadi Bhawan Atalnagar Nava Raipur Distt - Raipur Chhattisgarh, District : Raipur, Chhattisgarh
2. The Collector Balrampur Distt Balrampur - Ramanujganj Chhattisgarh, District : Balrampur, Chhattisgarh
3. Block Education Officer Balarampur Distt- Balrampur- Ramanujganj Chhattisgarh, District : Balrampur, Chhattisgarh

---Respondents

For Petitioner	:	Mr. A.N. Pandey, Advocate
For State	:	Mr. Ashutosh Mishra, P.L.

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

13/08/2019

1. The challenge in the present writ petition is to the order Annexure P/1 dated 12.07.2019, passed by the respondent No.2 transferring the petitioner from Govt. Girls Higher Secondary School, Tatapani, Block Balrampur, District Balrampur-Ramanujganj to Govt. Higher Secondary School, Gudar, Block Wadrafnagar.
2. The challenge in the present writ petition is on the ground that the petitioner is a handicapped person and he suffers from Locomotor Disability to the tune of more than 60% therefore he ought not have been disturbed by the respondent No.2. He further submits that the place, where the petitioner now has been sent is difficult to reach for a handicapped person and there are

not sufficient means of transport for easy access of the petitioner to the transferred place.

3. Given the aforesaid facts and circumstances of the case, let the petitioner make a detailed representation to the respondent No.2 within a period of 10 days from the date of receipt of the copy of this order, who in turn shall consider and decide the representation at the earliest preferably within a period of 30 days from the date of receipt of the representation keeping in view the clause 1.7 of the transfer policy, as also the provisions of the **“Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation Act”**.
4. Till the representation of the petitioner is decided, the effect and operation of the impugned order shall remain stayed.
5. With the aforesaid observations, the present writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge

Ved