

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 6320 of 2019

Jitendra Kumar Hirwani S/o - Late Shri Gendu Ram Hirwarni Aged About 42 Years Posted As Assistant Teacher (L.B.), Primary School Kakrel, Rajnandgaon, District Rajnandgaon Chhattisgarh, District : Rajnandgaon, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Education Department, Mahanadi Bhawan, Atal Nagar, District Raipur Chhattisgarh, District : Raipur, Chhattisgarh
2. Collector District- Rajnandgaon Chhattisgarh, District : Rajnandgaon, Chhattisgarh
3. District Education Officer District - Rajnandgaon Chhattisgarh, District : Rajnandgaon, Chhattisgarh
4. Chief Executive Officer Zila Panchayat Rajnandgaon District Rajnandgaon Chhattisgarh, District : Rajnandgaon, Chhattisgarh

---Respondents

For Petitioner	:	Mr. Anup Majumdar, Advocate
For State	:	Mr. Jitendra Pali, Dy. A.G.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

21/08/2019

1. The challenge in the present writ petition is to the order Annexure P/1 dated 12.07.2019, whereby the petitioner has been transferred from Primary School, Kakrel to Primary School Ranitalab, Churiya.
2. The sole ground of challenge is that the said order of transfer is in violation of the transfer policy of the State Government. According to the petitioner, his wife is also a government employee and is posted at Rajnandgaon and if the petitioner is sent to the transferred place which is far a place, the family life of the petitioner would get adversely affected.

3. Given the said facts, 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 and the respondent No.2 in turn shall decide the case of the petitioner taking into consideration the transfer policy, particularly the clause whereby protection is being given to the husband and wife working in the State Government.
4. Let a decision be taken by the respondent No.2 within a period of 30 days from the date of receipt of the representation. Meanwhile, the effect and operation of the impugned order Annexure P/1 shall remain stayed so far as the petitioner is concerned.
5. With the aforesaid observations, the present writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge

Ved