

HIGH COURT OF CHHATTISGARH, BILASPUR**WRIT PETITION (S) NO.6496 OF 2019**

Dukhu Ram Sahu S/o Shri Vishwanath Sahu Aged About 46 Years
Occupation Service, Presently Posted As Assistant Teacher (L. B.) Govt.
Primary School Mohrenga, Block Bemetara District Bemetara
Chhattisgarh.

...Petitioner(s)**Versus**

1. State of Chhattisgarh Through The Secretary, Department of School Education, Mantralaya, Mahanandi Bhawan, Capital Complex, Naya Raipur District Raipur Chhattisgarh.
2. Collector Bemetara, District Bemetara Chhattisgarh.
3. District Education Officer Bemetara District Bemetara Chhattisgarh.

... Respondent(s)

For Petitioner	:	Shri Sameer Singh, Advocate.
For Respondent-State	:	Shri P. Acharya, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****27.08.2019**

1. Challenge in the present Writ Petition is to the order of transfer dated 12.07.2019 whereby the petitioner has been transferred from Govt. Primary School, Mohrenga to Govt. Primary School, Dhaneli.
2. The challenge is on the ground that the petitioner is a disabled person suffering from more than 70 percent disability as is evident from the disability certificate issued by the District Medical Board. The contention of the petitioner is that being a handicapped person he would find it difficult to reach the transferred place and attend the duties.
3. Given the aforesaid facts, let the petitioner make a detailed representation in this regard to the respondent No.2 within a period of 10 day from today, and the respondent No.2, in turn, shall consider and decide the same at the earliest preferably within a further period of 45 days. Till the representation of the petitioner is decided, the effect and operation of the impugned order dated 12.07.2019 so far as petitioner is concerned, shall remain stayed.

4. It is made clear that while deciding the representation of the petitioner, the concerned respondent would also keep in mind the transfer policy of the State Govt. so far as dealing with the disabled persons are concerned and shall also keep in mind the provisions of the Persons with Disability Act, 2016.
5. The writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

inder