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HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 6684 of 2019**

Ram Prasad Upadhyay S/o Late B. P. Upadhyay, Aged About 50 Years, R/o Village And Post- Tekameta, Tahsil- Tokapal And District- Bastar At Jagdalpur, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of School Education, Mantralaya Mahanadi Bhawan Atal Nagar, Raipur, Chhattisgarh
2. The Collector, Jagdalpur, District- Bastar At Jagdalpur, Chhattisgarh
3. The District Education Officer, Jagdalpur District- Bastar At Jagdalpur, Chhattisgarh
4. Shri Rajendra Sharma, Assistant Grade -III Working At Block Education Officer, Tokapal, District- Bastar, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Somkant Verma, Advocate
For State	:	Mr. Anshuman Shrivastava, P.L.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****02.09.2019**

1. The petitioner in the present writ petition has challenged the order Annexure P-1 dated 12.07.2019 whereby the petitioner stood transferred from the Office of Block Education Officer, Tokapal to High School Tokapal, Block Tokapal.
2. The contention of the petitioner is that he has already complied with

the order. However, since the post was not available, the Principal of the School has expressed his inability for releasing the salary as is evident from Annexure P-2 dated 26.07.2019.

3. Given the fact, this Court is of the opinion that once when the petitioner has complied with the order, the same cannot be questioned seeking for quashment. The transfer order having been made by the Collector, it would be the responsibility of the Collector to ensure that the petitioner is paid his salary regularly without any interruption provided the petitioner has given his joining and is also ready to discharge his duties.

4. With the aforesaid observation, the writ petition stands disposed of.

**Sd/-
P. Sam Koshy
Judge**