

HIGH COURT OF CHHATTISGARH, BILASPUR**WRIT PETITION (S) NO.6682 OF 2019**

Ashok Kumar Chandrakar S/o Shri S.P. Chandrakar Aged About 55 Years
Block Education Officer, Block Podiuproda, District Korba Chhattisgarh.

...Petitioner(s)

Versus

1. State of Chhattisgarh Through Avar Secretary, Department of School Education, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur Chhattisgarh.
2. The Director Public Instruction Directorate Chhattisgarh Government Raipur, District Raipur Chhattisgarh.
3. The District Education Officer District Korba Chhattisgarh.
4. Lokpal Singh Jogi Principal Higher Secondary School Machadoli, Block - Podiuproda, District Korba Chhattisgarh.

... Respondent(s)

For Petitioner	:	Shri A.S. Rajput, Advocate.
For Respondent-State	:	Shri Jitendra Pali, Dy. Advocate General.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

30.08.2019

1. The challenge in the present writ petition is to the order of transfer dated 22.08.2019 passed by the respondents transferring the petitioner from the office of BEO, Podi Uroda, District Korba to the office of Principal, Govt. High School, Karranawapara.
2. The two grounds raised by the petitioner challenging the impugned transfer order is that, firstly the petitioner is a Principal of Higher Secondary School and he could not have been transferred as a Principal of High School as is reflected from Annexure P/2 dated, the impugned order. The second ground is that, vide order dated 21.08.2019 (Annexure P/3) one Shri Dilip Kumar Patel has already been sent as Principal to the School where the petitioner has been transferred and thereby the petitioner would find it difficult to assume his duties.
3. Given the aforesaid facts, let the petitioner make a representation in this regard to the respondents within a period of 10 day from today and the

respondents in turn, shall consider and transfer the petitioner preferably within a further period of 45 days to a place where he can safely take charge. That, while passing such an order the respondents shall also take note of the fact that petitioner is a Principal of Higher Secondary School and if at all if he is to be shifted, he be shifted to a Higher Secondary School. Till the representation of the petitioner is decided, the effect and operation of the order dated 22.08.2019 shall remain stayed so far as petitioner is concerned.

4. The writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge