

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 6760 of 2019**

Kamlesh Kumar Patwa S/o Shri Devnarayan Prasad Patwa Aged About 39 Years Working As Assistant Teacher (Lb) At Government Primary School Patratola, Janpad Panchayat - Wadrafnagar, District - Balrampur-Ramanujganj, Chhattisgarh. (Title Of The Petitioner Wrongly Mentioned In The Impugned Order Dated 12.07.2019), District : Balrampur, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, School Education Department, Mantralaya Capital Complex Mahanadi Bhawan, Atal Nagar Raipur, District - Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
2. District - Education Officer Balrampur Ramanujganj, District - Balrampur - Ramanujganj, Chhattisgarh., District : Balrampur, Chhattisgarh
3. The Collector Balrampur, District - Balrampur-Ramanujganj, Chhattisgarh., District : Balrampur, Chhattisgarh
4. Block Education Officer Wadrafnagar, Janpad Panchayat - Wadrafnagar, District - Balrampur, Ramanujganj, Chhattisgarh., District : Balrampur, Chhattisgarh

----Respondents

For Petitioner	:	Mr. A.K. Yadav, Advocate
For State	:	Mr. P. Acharya, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy**Order on Board****03/09/2019**

1. The challenge in the present Writ Petition is to the order Annexure P/1 dated 12.07.2019 whereby the services of the petitioner has been transferred from Government Primary School, Patratola, Block Wadrafnagar, Government Primary School, Kerta Prachin, Block Balrampur.
2. The contention of the petitioner is that wife of the petitioner is also working under the respondents and is posted at Wadrafnagar, therefore the impugned order stands contrary to the transfer policy of the State Government, so far as the husband and wife clause is concerned. The petitioner further submits that he has been transferred from one tribal area to another tribal area. If at all, if

the respondents intended to transfer the petitioner they should have sought for the choice of the petitioner and then transfer him.

3. Considering the aforesaid facts and circumstances of the case, let the petitioner make a detailed representation to the respondent within a period of 10 days from the date of receipt of the copy of this order and the respondents in turn shall consider and decide the same within a further period of 45 days from the date of receipt of the representation. Till the representation of the petitioner is decided, the effect and operation of the impugned order shall remain stayed.
4. With the aforesaid observations, the present writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge