

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 6883 of 2019

Vinod Gupta S/o Shri Jagarnath Prasad Aged About 52 Years Working As Principal, Government Model Higher Secondary School, Jashpur, District Jashpur, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Its Secretary, School Education Department (T Cadre), Mantralaya, Mahanadi Bhavan, Nava Raipur, Atal Nagar, District Raipur, Chhattisgarh.
2. District Education Officer Office Of District Education Officer, Jashpur, District Jashpur, Chhattisgarh

---Respondents

For Petitioner	:	Mr. Vinod Deshmukh, Advocate
For State	:	Mr. Jitendra Pali, Dy. A. G.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

03/09/2019

1. The Challenge in the present writ petition is to the two orders dated 21.08.2019, 22.08.2019, vide (Annexure P-1), the petitioner has been transferred from Govt. Model Higher Secondary School, Jashpur to Higher Secondary School Boys, Block Konta District Sukma and (Annexure P-2), the petitioner has been shown again transferred from Govt. Model Higher Secondary School, Jashpur, District Jashpur to Govt. Higher Secondary School Navagoan Distt. Bemetara.
2. The contention of the counsel for the petitioner is that the petitioner is the District President of Chhattisgarh Pradesh Shikshak Federation. Therefore, he falls within the protected category as per the transfer policy of State Govt.
3. The Counsel for the petitioner submits that he has worked 25 years in a Scheduled Area, therefore, he may be transferred to non scheduled area. The authorities if at all if they may transfer him to non scheduled area, this

fact may be considered by the authorities while deciding the representation of the petitioner

4. Given the aforesaid facts, let the petitioner make a detailed representation within a period of 10 days and respondents in turn shall take a decision within a period of 45 days.
5. Till the representation is decided, there shall be a stay of effect and operation of both the impugned orders so far as the petitioner is concerned.
6. The writ petition accordingly stands disposed off.

Sd/-

(P. Sam Koshy)
Judge

Jyotijha