

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 6902 of 2019**

Rajendra Singh S/o Ramanand Singh Aged About 51 Years Presently Posted And Working As Training Officer Cum- Ncc Officer, Industrial Training Institute Korba, District Korba Chhattisgarh., District : Korba, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Skill Development And Technical Education And Employment Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, Nawa Raipur District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. Director Directorate Of Skill Development And Technical Education And Employment Department Indrawati Bhawan, Atal Nagar, Nawa Raipur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
3. Principal Industrial Training Institute Korba, District Korba Chhattisgarh., District : Korba, Chhattisgarh
4. Santosh Kumar Manhar Posted And Working As Training Officer, Industrial Training Institute Kondagaon Chhattisgarh., District : Kondagaon, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Syed Majid Ali, Advocate
For State	:	Mr. Chandresh Shrivastava, Dy. A.G. with Ms. Akansha Jain, GA

Hon'ble Shri Justice P. Sam Koshy**Order on Board****05/09/2019**

1. The challenge in the present Writ Petition is to the order [Annexure P/1 dated 20.08.2018](#) whereby the services of the petitioner has been transferred from Korba [to Kondagaon](#).
2. Contention of the petitioner is that petitioner is a commissioned officer of NCC and at Korba there are 53 NCC cadets and the place where petitioner now has been transferred there is no NCC.

Counsel for the petitioner refers to the circular dated 18.02.1986 wherein it has been clearly provided that if a person is posted as a NCC Officer in college, he should not be transferred from one institution to another without consultation with the Directorate of NCC.

3. So far as impugned order of transfer is concerned, there does not seem any such steps taken by the respondents. Counsel for the petitioner further submits that he has been working as NCC Officer at Korba since long and he further submits that petitioner does not have any hesitation in going on transfer to an institution where there is an NCC and there are other institutions where there are NCC's available and where are vacancies also available for the petitioner to be accommodated and therefore his case may be considered suitably.
4. Given the aforesaid facts, let petitioner make a detailed representation to the respondents within a period of 10 days from today and on receipt of the representation the respondents shall decide the same within a period of 45 days. While considering the representation the authorities concerned may take note of the fact that petitioner is a NCC Officer and also his request of being sent to any other college in Chhattisgarh which has NCC.
5. Till the representation of the petitioner is decided, there shall be stay of the effect and operation of the impugned order Annexure P-1 so far as petitioner is concerned.
6. With the aforesaid observation, the writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge