

HIGH COURT OF CHHATTISGARH, BILASPUR**WRIT PETITION (S) NO.6975 OF 2019**

1. Mukesh Mishra S/o Shri Umakant Mishra Aged About 42 Years R/o F 4/7, Friends Colony, Sarkanda, Bilaspur, Chhattisgarh Presently Posted As Block Education Officer, Bilha, District- Bilaspur, Chhattisgarh.

...Petitioner(s)**Versus**

1. State of Chhattisgarh Through The Secretary, Department Of School Education Department Mantralaya, Mahanadi Bhawan, Nava Raipur, Atal Nagar, Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
2. The Upper Secretary Department of School Education Department, Mantralaya, Mahanadi Bhawan, Nava Raipur, Atal Nagar, Raipur, Chhattisgarh.
3. The Collector District- Bilaspur, Chhattisgarh.
4. District Education Officer District- Bilaspur, Chhattisgarh.

... Respondent(s)

For Petitioner	:	Shri Kalyan Kalamkar, Advocate.
For State	:	Ms. Abhyunnati Singh, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****05.09.2019**

1. Challenge in the present Writ Petition is to the order of transfer dated 21.08.2019 whereby the petitioner has been transferred from Bilha to Bemetara.
2. The challenge is on the ground that the petitioner is a disabled person suffering from more than 45 percent disability as is evident from the disability certificate issued by the District Medical Board.
3. Given the aforesaid facts, let the petitioner make a detailed representation in this regard to the respondents within a period of 10 day from today, and the respondents, in turn, shall consider and decide the same at the earliest preferably within a further period of 45 days. Till the representation of the petitioner is decided, the effect and operation of the impugned order dated 21.08.2019 so far as petitioner is concerned, shall remain stayed.
4. It is made clear that while deciding the representation of the petitioner, the concerned respondent would also keep in mind the transfer policy of the

State Govt. so far as dealing with the disabled persons are concerned and shall also keep in mind the provisions of the Persons with Disability Act, 2016.

5. The writ petition accordingly stands disposed of.

Sd/-

(P. Sam Koshy)
Judge