

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 7092 of 2019**

Anuj Kumar Pathak S/o - Shri A.B. Pathak Aged About 60 Years Presently
Posted As Lecturer At Government Higher Secondary School Kotadol, Block
Bharatpur, District Koriya Chhattisgarh, District : Koriya (Baikunthpur),
Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Its Secretary Department Of School Education, Mantralaya, Mahanadi, Bhawan, Naya Raipur, District Raipur Chhattisgarh, District : Raipur, Chhattisgarh
2. Under Secretary, Department Of School Education, Mantralaya, Mahanadi, Bhawan, Naya Raipur District Raipur Chhattisgarh, District : Raipur, Chhattisgarh
3. District Education Officer District Koriya Chhattisgarh, District : Koriya (Baikunthpur), Chhattisgarh
4. Block Education Officer, Bharatpur, District Bharatpur Chhattisgarh

----Respondents

For Petitioner	:	Mr. Ghanshyam Kashyap, Advocate
For State	:	Ms. Abhyunnati Singh, P.L.

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 22.08.2019, whereby the petitioner has been transferred from Kotadol, District Korea to Bedre, Block Bhairamgarh, District Bijapur.
2. The challenge to the transfer order is on the ground that the petitioner is an office bearer in as much as he is the Block President of Chhattisgarh Pradesh Shikshak Federation, Block Bharatpur, District Korea. The second ground of the petitioner is that he is presently working in a scheduled area and is again being sent to another scheduled area, which is contrary to the transfer policy of the State Government.

3. Considering the aforesaid facts, let the petitioner make a detailed representation to the respondents 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. While reconsidering the case of the petitioner, the respondent No.1 shall get the fact verified from the respondents No. 3 & 4 whether the petitioner in fact is an office bearer of the Chhattisgarh Pradesh Shikshak Federation, Block Bharatpur or not and whether the order dated 21.06.2019 relied upon by the petitioner in the present writ petition is a genuine document or not. The case of the petitioner be decided keeping in view the transfer policy of the State Government. In case if the document is found to be fake and the petitioner not being the office bearer, appropriate disciplinary action can be initiated against the petitioner.
5. With the aforesaid observations, the present writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge

Ved