

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 7546 of 2019

Atul Dandekar S/o R.K. Dandekar Aged About 50 Years R/o 27 Kholi,
Bilaspur, Police Station Civil Lines, Bilaspur, District Bilaspur Chhattisgarh.,
District : Bilaspur, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Women And Child Welfare, Mahanadi Bhawan, Mantralaya, Capital Complex, Atal Nagar, New Raipur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. Collector Bilaspur, District Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh
3. Director Women And Child Welfare, Indrawati Bhawan, Mantralaya, Capital Complex, Atal Nagar, New Raipur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
4. Poonam Kurre Project Officer, Integrated Child Development Project Mungeli, District Mungeli, Chhattisgarh., District : Mungeli, Chhattisgarh

---Respondents

For Petitioner	:	Mr. Manoj Paranjpe, Advocate
For State	:	Mr. Chandresh Shrivastava, Dy. A.G.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

19/09/2019

1. The challenge in the present writ petition is to the order of transfer dated 21.08.2019 whereby the petitioner has been transferred from Sub Health Centre Integrated Child Development Project, Bilha, District Bilaspur to Integrated Child Development Project, Geedam-2, Barsur, District Dantewada.
2. The ground of challenge is that the son of the petitioner is studying in class 12th standard and at this juncture if the petitioner is transferred, the crucial stage of his study would get adversely affected particularly when he is appearing in 12th Board Examination. Annexure P/10 is the document to show the fact that the son of the petitioner is studying in Class 12th. The

other ground raised by the petitioner is that he had worked in scheduled /naxalite affected areas for more than 11 years and vide the impugned order he has again been transferred to a core scheduled area.

3. Considering the fact that the son of the petitioner is pursuing 12th Class Board Examination and that at this mid session, transfer of the petitioner may have an adverse impact on the educational part of his son, this Court is of the opinion that let the petitioner make a detailed representation within a period of 15 days from today to the respondents taking all grounds, who in turn shall consider retaining of the petitioner till the present academic session is over and thereafter if required, the petitioner be transferred on administrative exigency. Let this exercise be completed within a period of 45 days from the date of receipt of the representation.
4. Till the representation of the petitioner is decided, the effect and operation of the impugned order, so far as the petitioner is concerned shall remain stayed
5. With the aforesaid observation, the writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

Ved