

HIGH COURT OF CHHATTISGARH, BILASPUR**WA No. 453 of 2019**

*{Arising out of Order dated 28/08/2019 passed in Writ Petition(S) No. 6598 of 2019 by
the learned Single Judge}*

- Vishal Kumar Gupta S/o Shri Dilip Kumar Gupta aged about 32 years working on the post of Teacher (L.B.) Science Subject Govt. Middle School Kerta Block Balrampur, Distt. Balrampur Ramanujganj C.G..

----Appellant/Petitioner

VERSUS

1. State of Chhattisgarh, Through- The Secretary, Department of School Education Mahanadi Bhawan Mantralaya Atalnagar, Distt. Raipur C.G.
2. The Collector, Distt. Balrampur, C.G.
3. The Block Education Officer Balrampur, Ramanujganj C.G.

-----Respondents

For Appellant	:	Mr. A.N. Pandey, Advocate
For Respondent-State	:	Mr. Sudeep Agrawal, Dy. A.G.

Hon'ble Shri P.R. Ramachandra Menon, Chief Justice

Hon'ble Shri Parth Prateem Sahu, Judge

Judgment on Board

Per P.R. Ramachandra Menon, Chief Justice.

04/10/2019

1. Interference declined by the learned Single Judge with regard to the challenge raised against transfer of the petitioner, who is working as teacher in the Government Middle School, Kerta, Distt. Balrampur to Govt Middle School, Kalikapur, Block Ramchandrapur is put to challenge in this appeal.
2. Heard Mr. A.N. Pandey, counsel for the appellant as well as Mr. Sudeep Agrawal, Deputy Advocate General representing the State.
3. The learned Single Judge has taken note of the pleadings and proceedings and in particular the ground upon which the challenge has been raised by the petitioner/appellant. The case has been built up merely with reference to the

student-teacher ratio which may be adversely get affected if the transfer of the petitioner/appellant is given effect to.

4. The learned Judge has observed that this cannot be a ground for interference by this Court and that it will be for the 2nd respondent to take necessary steps ensuring all the schools under the 2nd Respondent has sufficient number of teachers in accordance with the education policy of the State as also the requirements under the Right to Education Act.
5. It is well settled that interference in transfer matters cannot be made a matter of course. Admittedly, there is no plea of malafides, nor is there any plea with regard to the competence of the authority who passed the order of transfer.
6. In the said circumstances, there is no tenable ground to call for the interference in the appeal. Appeal fails and is hereby dismissed accordingly.

Sd/-
(P.R. Ramachandra Menon)
Chief Justice

Sd/-
(Parth Prateem Sahu)
Judge