

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 7767 of 2019

Suryoday Singh S/o Shri Chandroday Singh Aged About 41 Years Presently Posted As Teacher (L.B.) At Government Middle School Bhauta, R/o Ledry Colory, Tahsil Manendragarh Diistrict 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, Mahandi, Bhawan, Naya Raipur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
3. Collector Koriya District Koriya Chhattisgarh., District : Koriya (Baikunthpur), Chhattisgarh
4. District Education Officer Koriya Koriya, District Koriya Chhattisgarh., District : Koriya (Baikunthpur), Chhattisgarh

---Respondents

For Petitioner	:	Mr. Ashutosh Mishra, Advocate
For State	:	Ms. Abhyunnati Singh, P.L.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

24/09/2019

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 the Middle School, Bhaunta, Manendragarh, Koriya to Govt. Middle School, Laranga, Bagicha, District Jashpur.
2. The sole ground of transfer is that the petitioner is an office bearer of the Shaley Shiksha Karmi Sangh and he is the Block Secretary of Block Manendragarh and thereby the petitioner falls within the protected category under the transfer policy of the State Government.
3. Given the said facts, let the petitioner make a detailed representation to the respondents within a period of 10 days from today and the respondents in

turn shall decide the representation within a further period of 45 days from the date of receipt of representation. Meanwhile, there shall be a stay of the effect and operation of the impugned order, so far as the petitioner is concerned.

4. While deciding the representation, the respondent No.1 is directed to get the matter inquired from the respondent No.3 as well as the respondent No.4 and verify whether the petitioner in fact is a Block Secretary of the aforesaid Union or not. Whether the petitioner has created this document only to mislead the Court for getting an order in his favour. In case if the respondents No. 3 & 4 find the petitioner to have got this document prepared for misleading the Court, the respondents No. 1, 3 & 4 are further directed to ensure appropriate disciplinary action is taken against the petitioner for a major misconduct of filing false affidavit before the High Court for getting a favourable order.
5. With the aforesaid observations, the present writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge

Ved