

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 7848 of 2019

Sarodhan Singh Paikra S/o Late Chhakke Lal Paikra Aged About 47 Years Rural Agriculture Extension Officer, Presently Posted At Office Of The Senior Agriculture Development Officer, Pendra, District- Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary Department Of Agriculture, Mahanadi Bhawan, Nava Raipur Atal Nagar, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. The Director Department Of Agriculture Department Of Agriculture, Indrawati Bhawan, Nava Raipur Atal Nagar, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh

---Respondents

For Petitioner	:	Mr. Vikas Dubey, Advocate
For State	:	Mr. Ashutosh Mishra, P.L.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

25/09/2019

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 office of Senior Agriculture Development Officer, Pendra, District Bilaspur to the office of Deputy Director (Agriculture), District Mahasamund.
2. The contention of the petitioner is that petitioner's daughter is studying in class 12th and therefore at this juncture transferring the petitioner from one District to another District would be detrimental to the educational career of the petitioner's daughter. The second ground of challenge is that the petitioner is the District Secretary of the Chhattisgarh Gramin Krishi Viastar Adhikari Sangh, District Bilaspur and therefore the petitioner falls within the protected category under the transfer policy of the State Government.

3. Given the aforesaid facts and circumstances of the case, particularly taking note of the fact that daughter of the petitioner is styling in class-12th and is appearing for the 12th board examination and also considering the judgment of the Hon'ble Supreme Court in the case of **“Director of School Education, Madras & Others v. O. Karuppa Thevan & Another” 1994 Supp (2) SCC 666**, let the petitioner make a detailed representation to the respondents within a period of 10 days from today and the respondents in turn shall consider and 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. While taking a decision, the respondents would keep in mind the aforesaid judgment of the Hon'ble Supreme Court
4. With the aforesaid observations, the present writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge

Ved