

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 8267 of 2019

Sushil Kumar Toppo S/o Late Shri Fulgence Toppo Aged About 53
Years Presently Working As Assistant Professor Sociology In
Government College Patthalgaon, District Jashpur Chhattisgarh R/o
Jobatikra, Sitapur, District Surguja Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh, Through Secretary, Department Of Higher Education, Mantralaya, Mahanandi Bhawan, Atal Nagar Nawa Raipur District Raipur Chhattisgarh
2. Commissioner Higher Education Directorate Higher Education, Block C-30, 2nd And 3rd Floor, Indrawati Bhawan, Atal Nagar New Raipur District Raipur Chhattisgarh
3. Government College, Patthalgaon, District Jashpur, Through Its Principal

----Respondents

For petitioner – Shri Harsh Wardhan, Advocate.
For State-Shri Soumya Rai, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

22/10/2019

1. Grievance of the petitioner is that the petitioner has been transferred from Government College, Patthalgaon, District Jashpur to Government College, Kansabel, District Jashpur by order dated 21/08/2019.
2. Learned counsel for the petitioner submits that the petitioner is captain in NCC and rank has been obtained after rigorous training and expense incurred by the Government and the place where the petitioner has been transferred there is no NCC exist. It is further contended that as per the circular of the State Government and the Central Government the person who has training in NCC are normally not transferred and if transfer is made it has to be with the concurrence of NCC and the training incurs lot of expense and time. He refers to the circular Annexure P-3 and Anneuxure P-5 which are of the State Government and Central

Government.

3. Perused the document filed along with the petition which shows that the petitioner holds Pre-Commission Certificate of the NCC. Considering the contention of the petitioner and the circular of the State Government and the Central Government which is filed, it is directed that the petitioner shall make a representation within a period of 15 days from today before the respondents No.1 and 2 both. If such representation is filed, same may be decided within a further period of 45 days. Till then the transfer order dated 21/08/2019 in respect of the petitioner shall not be given effect to.

4. With such observation, the petition stands disposed of.

Sd/-

(Goutam Bhaduri)

JUDGE