

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 8495 of 2019

Rajesh Kumar Kushwaha S/o Shri Kanhaiyalal Kushwaha Aged About 41
Years R/o Village Nawapara, Tahsil- Bhaiyathan, District- Surajpur
Chhattisgarh., District : Surajpur, Chhattisgarh **--- Petitioner**

Versus

1. State of Chhattisgarh through the Under Secretary, School Education Department, Mantralaya, Atal Nagar, New Raipur District : Raipur, Chhattisgarh
2. The District Education Officer Surajpur, District- Surajpur Chhattisgarh.,
3. The Block Education Officer Block- Bhaiyathan, District- Surajpur Chhattisgarh. **--- Respondents**

For the Petitioner	: Mr. Sangeet Kumar Kushwaha, Advocate
For the Respondents	: Mr. Atanu Ghosh, Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

18-10-2019

1. The Challenge made in this writ petition is to the order dated 01.10.2019 (Annexure P-1) whereby the petitioner has been transferred from Govt. Pre-Middle School, Sonpur, Vikas Khand Bhaiyathan to Maniharidih, Vikas Khand Prem Nagar, district Surajpur.
2. The grievance of the petitioner is that he is disabled to the extent of 42/% and as per the policy of the State if the place of transfer is not convenient for such employee, normally he shall not be transferred there, but ignoring such criteria laid down in the State Policy in respect of disabled employees, the petitioner has been transferred.

3. Perused the document (Annexure P-2) which shows that the petitioner is handicapped. Considering the same, it is directed that the petitioner shall be at liberty to make a representation to respondent No.1 within a period of 15 days from the date of receipt of the order and on such a representation being filed, the same shall be considered and decided within a further period of 45 days.
4. Till the representation is decided, the impugned transfer order shall not be given effect to, if the petitioner has already not been relieved.
5. This writ petition accordingly stands disposed off.

Sd/-

**GOUTAM BHADURI
JUDGE**