

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 8544 of 2019

Anil Kumar Verma S/o Shri Bhura Prasad Verma Aged About 43 Years Working On The Post Of Lecturer (L.B.) At Government H.S. School Chandramedhay Block Bhaiyathan District Surajpur, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary School Education Department, Mahanadi Bhawan Mantralaya, Naya Raipur, Atal Nagar, P.O. And P.S. Naya Raipur, District Raipur, Chhattisgarh.
2. Under Secretary, School Education Department, Mahanadi Bhawan Mantralaya, Naya Raipur, Atal Nagar, P.O. And P.S. Naya Raipur, District Raipur, Chhattisgarh.
3. District Education Officer Surajpur, District Surajpur, Chhattisgarh

----Respondents

For petitioner – Shri V.K. Pandey, Advocate.
For State-Shri Kunal Das, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

17/10/2019

1. Grievance of the petitioner is that the petitioner has rendered his service in schedule area Surajpur at Government High School, Chandramedhay for more than five years, however he has again been transferred to Sukma to the office of District Education Officer to be posted at anywhere by the impugned transfer order dated 1/10/2019. It is contended that Sukma is considered to be core schedule area and Surajpur too is considered general schedule area and as per policy once a government employee serves in a schedule area his option is to be obtained to be posted in non schedule area, however the petitioner has been transferred from general schedule area to core schedule area which is completely against the policy of the State and also to get the person who are primarily posted in the urban area.
2. Perused the transfer order. The petitioner appears to have been

transferred from Surajpur to Sukma. As per the document filed alongwith the petition it shows that Sukma has to be considered as a core schedule area and Surajpur has to be considered as a general schedule area. Petitioner have been transferred from general schedule area Surajpur to core schedule area Sukma. As against this policy of the State would show that after rendering service in the schedule area normally the employee is entitled to be posted in non-schedule area. Considering the same, it is directed that the petitioner shall make a representation to the respondent No.2, Under Secretary, School Education Department within a period of three weeks from today. If such representation is filed, same shall be decided within a further period of 45 days. The petitioner shall also be at liberty to place all the grounds according to the policy and it is expected that the State would take care on its own policy while deciding the representation. Till then the transfer order dated 1/10/2019 in respect of the petitioner shall not be given effect to.

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

Sd/-

(Goutam Bhaduri)

JUDGE