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**HIGH COURT OF CHHATTISGARH, BILASPUR****WPS No. 8599 of 2019**

- Rajesh Ambast, S/o Late Shri Krishna Chandra Ambast, Aged About 50 Years, Working As Assistant Grade 3, Govt. High School Khadganwa Kala, Block - Pratappur, District Surajpur Chhattisgarh.

**---- Petitioner****Versus**

1. State Of Chhattisgarh, Through Secretary, School Education Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, Naya Raipur Chhattisgarh.
2. The Collector Surajpur, District Surajpur Chhattisgarh.
3. District Education Officer Surajpur, District Surajpur Chhattisgarh.
4. Principal Govt. High School Khangaonwakala, Block Pratappur District Surajpur Chhattisgarh.

**---- Respondents**


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| For Petitioner         | : | Shri R. S. Patel, Advocate                    |
| For Respondents/ State | : | Shri Alok Bakshi, Additional Advocate General |

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**Hon'ble Shri Justice Goutam Bhaduri****Order On Board****18/10/2019**

1. The grievance of the petitioner is that the petitioner is working as a Assistant Grade- III is posted at Government High School Khangaonwa Kala Block Pratappur, District Surajpur wherefrom he has been transferred to Government High School Siwani, Chhura, District Garaiyaband which is more than 300 kms.
2. It is contended that the petitioner is a handicapped person and is suffering from 40 percent disability as it evident from the Disability Certificate (Annexure P-2), further as per the policy of State government if the employee is disabled then he normally be placed wherein the

commuting would be easy. It is further contended that the post of the petitioner was district cadre post and appointed by the Collector and while transfer of the petitioner at Garaiyaband, his seniority would be affected and further the post of the petitioner which the petitioner holds cannot be transferred outside the District as it affects his seniority

3. Learned State counsel opposes the same.
4. Perused the document Annexure P-2, which shows that the petitioner is disabled to the extent of 40 % and as per the policy of State government the person who is suffering with disability should be posted to a place where commuting is easy.
5. Considering the document of disability and the fact that the petitioner has been transferred to a distance of 300 kms, it is directed that the petitioner shall file a representation to Respondent No. 1 within three weeks from the date of receipt of copy of this order. The representation so made shall be decided within a further period of 45 days, till then the transfer order of the petitioner shall not be given effect to.
6. Accordingly, the petition stands disposed of.

Sd/-

Goutam Bhaduri  
Judge