

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 8594 of 2019**

- Anirudh Prasad Gupta, S/o Shri Laxman Prasad Gupta, Aged About 57 Years, Working On The Post Of Head Master Government Middle School, Amravatipur, Block Wadrafnagar, District Balrampur Chhattisgarh.

---- Petitioner**Versus**

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

---- Respondents

For Petitioner	:	Shri V. K. Pandey, Advocate
For Respondents/ State	:	Shri Alok Bakshi, Additional Advocate General

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

1. The grievance of the petitioner is that the service of the petitioner has been transferred from Government Middle School, Amravatipur, Block Wadrafnagar, District Balrampur to Government Middle School Chirmi, Block Khadgawan, District Koriya.
2. It is contended that the petitioner has already served for more than 5 years in one Scheduled District and as per the policy of the State the petitioner cannot be placed again to a Scheduled District. It is further contended that in place of transfer there is no vacant sanction post of

head master exists and the petitioner is head master. Therefore, the transfer to Koriya itself is against the administrative sanction post of the of the State.

3. Perused the documents, there is no dispute as to the fact that the petitioner has been transferred to one Scheduled District to other Scheduled District which would be evident from the list of Scheduled district filled along with the petition.
4. Considering the fact, it is stated that the petitioner has served for more than 5 years in one Scheduled District. Consequently taking into the policy of the State as per the circular (Annexure P-2) dated 03.06.2015, the petitioner is given a liberty to make a representation to Respondent No.2, within two weeks from the date of receipt of copy of this order. If such representation is filed the same may be decided within a further period of 45 days, till then the transfer order of the petitioner shall not be given effect to.
5. Accordingly, the petition stands disposed of.

Sd/-

Goutam Bhaduri
Judge