

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 8591 of 2019

Duryodhan Prasad Gupta S/o Shri Rampreet Sahu, Aged About 55 Years
Working on the Post of Head Master Government Middle School Hariharpur,
Block Pratappur, District Surajpur 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, Pratappur, District Surajpur Chhattisgarh. **--- Respondents**

For the Petitioner : Mr. V. K. Pandey, Advocate.

For the Respondents : Mr. Soumya Rai, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

17-10-2019

1. The petitioner who is working as Head Master has been transferred from the Government Middle School, Vikas Khand Pratappur to Govt. Middle School Telgaon, Vikas Khand Bhaithan, Distt. Surajpur vide order dated 21.08.2019 which is under challenge.
2. It is contended that there is no vacant post of Head Master available at place of posting i.e., Govt. Middle School Telgaon, Block Bhaiyathan as one Ashok Kumar is already posted there and two headmasters cannot work at the same school, therefore, the transfer of the petitioner at Telgaon is not just and the same may be set aside.

3. Considering the facts situation of the case, it is directed that the petitioner shall make a representation to the concerned respondents within a period of 15 days and on such representation being filed, the concerned respondents shall consider and decide the same within a further period of 45 days.
4. Till the representation of the petitioner is decided, the impugned order dt. 21.08.2019 (Annexure P-1) shall not be given effect to.
5. This writ petition accordingly disposed of.

Sd/-

**GOUTAM BHADURI
JUDGE**