

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****WPS No. 8597 of 2019**

- Om Prakash Pandey, S/o Late Sumant Pandey Aged About 55 Years Occu - Assistant Grade II Govt. Boys Higher Secondary School Shankargarh R/o Ramanujganj District Balrampur Ramanujganj Chhattisgarh.

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

1. State Of Chhattisgarh, Through The Secretary, Department Of School Education, Mantralaya, Mahanadi Bhawan, New Raipur District Raipur Chhattisgarh.
2. District Education Officer Ramanujganj, District Balrampur Ramanujganj Chhattisgarh.
3. Principal Government Boys Higher Secondary School Block Shankargarh, Ramanujganj District Balrampur Ramanujganj Chhattisgarh.

**---- Respondents**


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| For Petitioner         | : | Shri Shakti Raj Sinha, 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 has been transferred from Government Boys Higher Secondary School Shankargarh, District Ramanujganj to Government High School, Badgaoan Khurud Block Janakpur, District Koriya. However, the remark column says that it was voluntary/ on own accord . Learned counsel for the petitioner submits that the petitioner has never made an application for transfer to any place and the remark column has been wrongly written that the petitioner has sought for voluntary transfer. It is further submitted that the post of the petitioner was district cadre post and appointed by the Collector and while transfer of

the petitioner at District Koriya, 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.

2. Learned State counsel opposes the same.
3. Considering the fact that disputed fact has been raised and the petitioner has not made any request for transfer and the transfer has been done on the ground that it was voluntary/ on own accord. Further it appears subject to exception that the seniority of the petitioner appears to be maintained in District wise, it is directed that the petitioner shall file a representation to Respondent No. 1 within 15 days 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.
4. Accordingly, the petition stands disposed of.

Sd/-

Goutam Bhaduri  
Judge

Jyoti