

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 8685 of 2019**

- Om Prakash Goswami S/o R. B. Goswami Aged About 34 Years Posted As Assistant Teacher (L. B.), At Government Primary School Dongartarai, R/o Village Chhuri Tahsil Katghora District Korba Chhattisgarh

---- Petitioner**Versus**

1. State of Chhattisgarh Through Its Secretary, School Education Department, Mantralaya, Mahanandi Bhawan, Naya Raipur District Raipur Chhattisgarh
2. Collector Korba District Korba Chhattisgarh
3. District Education Officer District Korba Chhattisgarh

---- Respondents

For Petitioner : Ms. Divya Sharma, Advocate

For Respondents/State : Ms. Akanksha Jain, Dy. GA

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****23/10/2019**

1. Heard.
2. Challenge in this petition is to the transfer order dated 12.07.2019 whereby the services of the petitioner has been transferred from Government Primary School Dongartarai, Block Pondi-Uproda, District Korba to Government Primary School, Mahadevpara, Block Pondi-Uproda, District Korba.
3. It is contended that the transferred place is at the distance of 100 Kms and presently in the school where the petitioner is teaching there are 58 students and only two teachers are appointed and the school where the petitioner has

been transferred there are 46 students and two teachers are already posted there. Therefore, by transfer of the petitioner from Dongartarai to Mahadevpara, the ratio of teacher and student would be affected as required under the Right to Education Act, 2009.

4. Considering the grievance of the petitioner as also the averments made that the transfer of the petitioner to the other school will affect the ratio of teacher as required under the Right to Education Act, 2009, the petitioner is directed to make a detailed representation before the respondent No.1 in this regard within a period of 15 days from today and the said respondent in turn shall decide the representation of the petitioner within a further period of 60 days from the date of receipt of the representation.
5. With the aforesaid observation, the writ petition stands disposed of.

Sd/-

Goutam Bhaduri
Judge