

**HIGH COURT OF CHHATTISGARH, BILASPUR****WPS No. 8821 of 2019**

- Ashok Kumar Upadhyay S/o Shri Omprakash Upadhyay Aged About 47 Years Working As Headmaster, Middle School, Chitkahipara Kot, District Surajpur, Chhattisgarh

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

1. State of Chhattisgarh Through The Secretary, Revenue And Disaster Management Department, Mantralaya, Atal Nagar, New Raipur, Chhattisgarh
2. The District Education Officer Surajpur, District Surajpur, Chhattisgarh

**---- Respondents**


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For Petitioner : Shri Rahul Mishra, Advocate

For Respondents/State : Shri Avinash Singh, PL

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**Hon'ble Shri Justice Goutam Bhaduri****Order On Board****24/10/2019**

1. Heard.
2. The grievance of the petitioner is that by the impugned order dated 01.10.2019, the services of the petitioner has been transferred from Middle School, Chitkahipara Kot, District Surajpur to Government Pre-Middle School, Rangpur, Block Bagicha, District Jashpur.
3. It is contended that the place where the petitioner has been transferred there is no middle school exists and the petitioner is the Headmaster in the Middle School, therefore, the transfer is bad. It is further contended that the petitioner comes in the protected category as he is the Secretary of Chhattisgarh

Shikshak Congress and the wife of the petitioner is also a Lecturer in the Government Higher Secondary School, Deonagar, District Surajpur. It is stated that according to the transfer policy of the State the husband & wife are to be kept in the same place and the petitioner comes under the protect category, therefore, the transfer of the petitioner may be canceled.

4. Considering the grievance raised and also the document Annexure P-5 issued by the Block Education Officer, Bagicha, District Jashpur which shows that there is no Middle School exists wherein the petitioner has been transferred, it is directed that the petitioner shall make afresh representation in this regard within a period of 15 days from today before the Grievance Redressal Committee and the Committee in turn shall consider and decide the same in accordance with the transfer policy at the earliest preferably within a further period of 45 days. Till the representation of the petitioner is decided, the transfer of the petitioner shall not be given effect to.
5. With the aforesaid observation, the writ petition stands disposed of.
6. Certified copy today.

Sd/-

Goutam Bhaduri  
Judge