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HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 8833 of 2019**

- Raghu Singh Thakur, S/o Late Shri Onkar Singh Thakur, Aged About 58 Years, R/o HIG-206 Amber, Abhilaha Parisar, Tifra, New Bus Statnd, Police Station Sirgiti, Bilaspur, District Bilaspur, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh, Through The Secretary, School Education Department, Mantralaya, Atal Nagar, New Raipur, Chhattisgarh.
2. The Collector District Bilaspur, Chhattisgarh.
3. The District Education Officer, Bilaspur, District Bilaspur, Chhattisgarh.
4. The Block Education Officer, Bilha, District Bilaspur, Chhattisgarh.

---- Respondents

For Petitioner : Shri Bharat Rajput Advocate

For Respondents/ State : Shri Avinash Singh, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****05/11/2019**

1. The grievance of the petitioner is that the services of the petitioner has been transferred from Assistant Teacher, Government Primary School, Nehrunagar, Bilaspur, Block- Bilha to the post of Headmaster, Government Primary School, Kolihabhantha, Block- Bilha which is more than 50 kms away.
2. It is contended that the petitioner is a handicapped person and is suffering from 60 percent disability as it is evident from the Disability Certificate (Annexure P-2), further as per the policy of State government if the employee is disabled then he normally be placed wherein the

commuting would be easy, but no direct conveyance mode is available in Kolihabhantha. It is further contended that the wife of the petitioner is also working as Assistant teacher at Government Primary School, Sindhi Colony, Bilaspur and as per the policy of the Government husband and wife should be kept at the same place. Therefore, the transfer order of the petitioner shall be cancelled.

3. Perused the document Annexure P-2, which shows that the petitioner is disabled to the extent of 60 % and as per the policy of State government the person who is suffering with disability should be posted to a place where commuting is easy.
4. Considering the document of disability and the fact the petitioner shall be at liberty to file a representation to Respondent No. 3 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 in respect of the petitioner shall not be given effect to, if it has not been carried out till date.
5. Accordingly, the petition stands disposed of.

Sd/-

Goutam Bhaduri
Judge