

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 9243 of 2019

Mahendra Kumar, S/o. Late Shri Ramdeo Ram, Aged About 45 Years,
Posted Hostel Superintendent, Pre Matric Boys School, Chalgali,
Wadrafnagar, District Balrampur - Ramanujganj Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh, Through Secretary, School Education Department,
Mahanadi Bhawan, Atal Nagar, District Raipur Chhattisgarh.
2. Collector (Tribal Welfare) District Balrampur Ramanujganj Chhattisgarh.
3. District Education Officer, District Balrampur Ramanujganj Chhattisgarh.

---- Respondents

For Petitioner	:	Mr. Anoop Majumdar, Advocate
----------------	---	------------------------------

For State/Respondents	:	Mr. Sudhir Sahu, Panel Lawyer
-----------------------	---	-------------------------------

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

13.11.2019

Heard.

1. By the impugned transfer order dated 01.10.2019, the petitioner has been transferred from Middle School Koniya para, Block Wadrafnagar, District Balrampur to Government Pre-Middle School Tedma, Block Khadgawan, District Koriya.
2. Grievance of the petitioner is that the petitioner is not working at Middle School Koniya para and as per Annexure P-2, infact he is working on deputation at Pre-Metric Boy's School, Chalgali, Wadrafnagar and as per the appointment until someone is appointed in place of the petitioner, the petitioner cannot be transferred anywhere. He further submits that the petitioner is covered under the protective category also and as per Annexure P-4, he is the President of Chhattisgarh Anusuchit Jati Janjati Adhikari Karmachari Sangh Tahsil Wadrafnagar. Therefore, the transfer of the petitioner may be canceled.

3. Perused the documents. As per Annexure P-2 the petitioner appears to be working at Pre-Matric Boys School Chalgali, Wadrafnagar and not at Middle School Koniapara, Block Wadrafnagar, District Balrampur where-from he has been transferred. Annexure P-4 shows that the petitioner appears to hold the post in the Union. Considering the same, the petitioner is given liberty to make a representation within a period of 15 days before the Respondent No.1, who in turn shall decide the same within an outer limit of 45 days from the date of receipt of the representation. Till then, the transfer of the petitioner shall not be given effect to, if it has not been acted upon till date.
4. With such observation, the petition stands disposed off.

Sd/-
Goutam Bhaduri
Judge

Ashok