

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 8894 of 2019**

- Puran Lal Sahu, S/o Domar Singh Sahu, Aged About 58 Years, Working As Upper Division Teacher, And Posted As Govt. Middle School Aurada, District Rajnandgaon Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Department Of School Education Mahanadi Bhawan, Mantralaya, New Raipur District Raipur Chhattisgarh
2. Collector Rajnandgaon, District Rajnandgaon Chhattisgarh
3. District Education Officer Rajnandgaon, District Rajnandgaon Chhattisgarh

---- Respondents

For Petitioner : Shri Ajay Shrivastava, Advocate

For Respondents/ State : Ms. Beenu Sharma, Panel Lawyer

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

1. Heard.
2. Learned counsel for the petitioner contents that the petitioner belongs to Education department and after the merger of Tribal and Education Department two cadre were created i.e. E. Cadre and T. Cadre and the employee of E. Cadre can only be transferred in the school of education department and employee of T. Cadre can only be transferred in the School of tribal department. It is stated as per the policy of the Government dated 05.03.2019 the employee of one cadre cannot be transferred to another cadre. However, by the impugned order the petitioner who is a teacher in E. Cadre his services has been transferred to school of Tribal Department

which is T. Cadre and has been posted from Government Middle School Aurada, District Rajnandgaon to Government Middle School Sambalpur, District Rajnandgaon. It is stated that petitioner is subject to frequent transfer as would be evident by order dated 12.07.2019 (Annexure P-4) he was placed at Rajnandgaon, therefore, it is also a frequent transfer against the policy.

3. Perused the policy and considering the fact that the petitioner was a teacher in the E. Cadre and has been transferred to T. Cadre and he has been posted at Rajnandgaon on 12.07.2019 (Annexure P-4) and subsequently has been transferred again by order dated 01.10.2019 to Sambalpur, therefore, the petitioner is given liberty to file a representation to concern respondent within 15 days from the date of receipt of copy of this order. The representation so filed shall be decided by the respondent within 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.
5. Certified copy today.

Sd/-

Goutam Bhaduri
Judge