

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 9147 of 2019**

- Sudesh Kumar Sharma S/o Late Shri Shiv Kumar Sharma , Aged About 56 Years Upper Division Teacher Government Middle School, Surgi, Rajnandgaon Chhattisgarh

---- Petitioner**Versus**

1. State Government of C.G., Through - The Secretary, Education Department Ministry, Mahanadi Bhawan, Police Station Rakhi, New Raipur Chhattisgarh
2. Collector, Rajnandgaon Chhattisgarh
3. District Education Officer Rajnandgaon Chhattisgarh
4. Block Education Officer, Rajnandgaon Chhattisgarh

---- Respondents

For Petitioner : Shri Ajay Shrivastava, Advocate

For Respondents/ State : Ms. Richa Shukla, Dy. GA

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****07/11/2019**

1. The grievance of the petitioner is that the services of the petitioner has been transferred from Middle School, Surgi, Block Rajnandgaon to Middle School, Pendodhi, Block Manpur.
2. Learned counsel for the petitioner contends 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 that 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 transferred from Middle School, Surgi, Block Rajnandgaon to Middle School, Pendodhi, Block Manpur.

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 by order dated 01.10.2019, therefore, the petitioner is given liberty to file a representation before the concerned respondent within 15 days from today. The representation so filed shall be decided by the respondent within further period of 45 days. Till the representation of the petitioner is decided, the transfer order of the petitioner shall not be given effect to.

4. Accordingly, the petition stands disposed of.

Sd/-

(Goutam Bhaduri)
Judge