

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 8973 of 2019**

- Deepak Kumar Sinha S/o Late Gyan Lal Sinha Aged About 59 Years Presently Posted As Upper Division Teacher, Government Pre - Middle School, Sonesarar Block - Dongargaon District - Rajnandgaon Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary School Education Department, Mahanadi Bhawan, Naya Raipur Chhattisgarh
2. Collector, Rajnandgaon Chhattisgarh

---- Respondents

For Petitioner : Shri Anoop Majumdar, Advocate

For Respondents/ State : Shri Avinash Singh, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****06/11/2019**

1. The grievance of the petitioner is that the services of the petitioner has been transferred from Government Pre-Middle School, Sonesarar to Secondary Level Ashra School, Karekatta, Manpur.
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 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 Government Pre-Middle School Sonesarar to Secondary Level Ashram School, Karekatta, 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

Ashu