

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****WPS No. 9020 of 2019**

- Chetan Singh Sahu S/o Late Jagat Ram Sahu Aged About 57 Years Presently Posted As Upper Division Teacher, Government Pre-Middle School, Kirgi Block Dongargaon, District : Rajnandgaon, Chhattisgarh

**---- Petitioner****Versus**

1. State of Chhattisgarh Through The Secretary, Department Of School Education, Mantralaya, Mahanadi Bhawan, Atal Nagar Naya Raipur, District : Raipur, Chhattisgarh
2. Collector, Rajnandgaon, District : Rajnandgaon, Chhattisgarh

**---- Respondents**


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For Petitioner : Shri Anup Majumdar, Advocate

For Respondents/ State : Shri Avinash Singh, Panel Lawyer

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**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, Kirgi to Middle School, Salhebhatti, Manpur, which is 175 Kms away.
2. Learned counsel for the petitioner contents that the petitioner belongs to Education Department and after the merger of Tribal Education Department two cadre were created i.e. E. Cadre and T. Cadre and the employee of R. 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 State 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 Kirgi, to Middle School, Salhebhatti, Manpur.

3. Perused the documents. Considering the fact that the petitioner belongs to E. Cadre and he has been transferred in the school of Tribal Department i.e. T. Cadre, by order dated 01.10.2019, therefore, the petitioner shall be at liberty to make a representation before the concerned respondent with all the relevant documents within 15 days from the date of receipt of a copy of this order and 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.
4. Accordingly, the petition stands disposed of.

Sd/-

**(Goutam Bhaduri)**  
Judge

*Yasmin*