

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 9099 of 2019**

- Ramkumar Choubey S/o Hiralal Choubey Aged About 59 Years Working As Upper Division Teacher, And Posted At Govt. Middle School Baigatola, Block Rajnandgaon 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. 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 Government Middle School, Baigatola, Block Rajnandgaon District Rajnandgaon to Government Middle School, Birsinghtola, District Rajnandgaon.
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 Government Middle School, Baigatola, Block Rajnandgaon District Rajnandgaon to Government Middle School, Birsinghtola, District Rajnandgaon.

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