

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 9206 of 2019**

- Kanak Kumar Jyoti Deepak, S/o Tejram Sahu, Aged About 52 Years, Working As Upper Division Teacher, And Posted At Government Middle School Gidhwa, Block Rajnandgaon, District Rajnandgaon, Chhattisgarh. (Wrongly Mentioned As Kanak Kumar Sahu In The Transfer Order)

---- Petitioner**Versus**

1. State Of Chhattisgarh, Through Secretary, Department Of School Education Mahandi 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 Gopal Mathur, Advocate
For Respondents/ State	:	Ms. Akanksha Jain, Dy. Government Advocate

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****14/11/2019**

1. The grievance of the petitioner is that the services of the petitioner has been transferred from Government Middle School Gidhwa, Block Rajnandgaon, District Rajnandgaon (C.G.) to Government Middle School, Ramgarh, District Rajnandgaon (C.G.).
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 Gidhwa, Block Rajnandgaon, District Rajnandgaon (C.G.) to Government Middle School, Ramgarh, District Rajnandgaon (C.G.).

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