

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 9328 of 2019**

- Mohammad Ikhlauque S/o. Abdul Wahid Aged About 58 Years R/o. Ward No. 5, Near Bus Stand, Rajpur, District Balrampur-Ramanujganj Chhattisgarh

---- Petitioner**Versus**

1. State of Chhattisgarh Through- Secretary, School Education Department (T-Cadre), Mahanadi Bhawan, Mantralaya, Capital Complex, Atal Nagar, New Raipur, District Raipur Chhattisgarh
2. Joint Director School Education Department, Division Ambikapur, District Surguja Chhattisgarh
3. Block Education Officer Block Rajpur, District Balrampur-Ramanujganj Chhattisgarh

---- Respondents

For Petitioner : Shri Manoj Paranjpe, Advocate

For Respondents/State : Shri Amrito Das, Addl. AG

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****15/11/2019**

1. Heard.
2. The grievance of the petitioner is that the petitioner is working in the Government Higher Secondary School, Parsagudi, Block Rajpur, District Balrampur- Ramanujganj by order dated 21.08.2019 has been transferred to the Government Higher Secondary School Moharsop, Block Odgi, District Surajpur.
3. Learned counsel for the petitioner would submit that the petitioner is posted in

the scheduled area since 1990 as such has served more than 29 years in the scheduled area and now again he has been transferred to the scheduled area which is against the policy of the State. It is further stated that the wife of the petitioner is suffering from cancer and she will not get any treatment at the transferred place, therefore, the petitioner has made a representation immediately after the transfer and it is also submitted that till the petitioner has not been relieved, therefore, the transfer order may be stayed.

4. Perusal of the transfer transfer policy dated 03.06.2015 (Annexure P-5) and clause 1.3 thereof purports that the persons who have served more than 3 years in the scheduled area should be considered to be posted out side the scheduled area. Further perused the medical papers of the wife of the petitioner. Taking into such fact, it is directed that the petitioner shall make afresh representation in this regard before the grievance redressal committee within a period of 15 days from today and on such representation being filed, the committee shall decide the same as early as possible preferably within a period of 45 days from the date of receipt of representation. Till the representation of the petitioner is decided, the transfer order dated 21.08.2019 in respect of the petitioner shall not be given effect to.
5. With the aforesaid observation, the writ petition stands disposed of.

Sd/-

Goutam Bhaduri
Judge