

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 9435 of 2019

Yagavendra Kumar Dubey S/o Satyanarayan Dubey Aged About 40 Years R/o
Government Higher Secondary School Bhubaneswarapur, Vikas Khand
Ramanujnagar, District Surajpur, Chhattisgarh **--- Petitioner**

Versus

1. State of Chhattisgarh through Secretary, Panchayat and Gramin Vikas Vibhag, Mahanadi Bhawan, New Raipur, Police Station New Raipur, Tahsil Raipur, District Raipur, Chhattisgarh.
2. State of Chhattisgarh Through Secretary, School Education Department, Mahanadi Bhawan, New Raipur, Police Station New Raipur, Tahsil Raipur, District Raipur, Chhattisgarh.
3. State of Chhattisgarh Through Deputy Secretary, School Education Department, Mahanadi Bhawan, New Raipur, Police Station New Raipur, Tahsil Raipur, District Raipur, Chhattisgarh.
4. Zila Panchayat Ambikapur, Through Chief Executive Officer, Zila Panchayat, Surajpur, Police Station Surajpur, District Surajpur, Chhattisgarh.
5. Chief Executive Officer Zila Panchayat, Surajpur, Post and Police Station Surajpur, District Surajpur, Chhattisgarh.
6. Block Education Officer Ramanujganj, Post And Police Station Ramanujganj, District Surajpur, Chhattisgarh.
7. Collector Surajpur, Post and Police Station Surajpur, District : Surajpur, Chhattisgarh **--- Respondents**

For Petitioner	: Mr. Vikram Dixit, Advocate
For the Respondents	: Mr. Sudhir Sahu, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

19.11.2019

Heard

1. The grievance of the petitioner is that he is working as Shiksha Karmi Grade-II and by impugned order dated 21.08.2019 (Annexure P-1) he was suddenly transferred from Govt. Higher Secondary School, Bhubaneswarapur Vikas Khand Ramanuj Nagar to Govt. Higher Secondary School, Odgi, Distt. Surajpur.

2. It is contended that in the remarks column, the ground of the transfer has been shown as “Voluntary” and in fact the petitioner has not made any application of his own, therefore, the transfer order is wrong. The petitioner submits that pursuant to the transfer order, immediately he has submitted a representation to the State, however, the same has not been given heed to. It is further submitted that the petitioner has not been relieved till date and the transfer order has not been given effect to.
3. Considering the fact that the petitioner has been transferred on the ground of his own accord whereas the claim of the petitioner is that he has not voluntarily made any application for transfer and further the petitioner has submitted representation to the respondents against the transfer, it is directed that the petitioner may file a fresh detailed representation within a period of 2 weeks from the date of receipt of this order and on such representation being filed, the same shall be considered and decided within a further period of 45 days.
4. It is also directed that the transfer order shall not be given effect to till the representation of petitioner is decided.

Sd/-
(GOUTAM BHADURI)
JUDGE