

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 9196 of 2019**

- Anil Kumar Dewangan, S/o. Shri Khorbahara Ram Dewangan, Aged About 40 Years, Presently Posted As Assistant Teacher (L.B.) At Government Primary School Bhatapara Taroud, Block Balod, District Balod Chhattisgarh. R/o.Village Taroud, Post Taroud, District Balod Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh, Through Its Secretary Department Of School Education, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur Chhattisgarh
2. Collector Balod, District Balod Chhattisgarh
3. District Education Officer, Balod, District Balod Chhattisgarh
4. Block Education Officer Balod, District Balod Chhattisgarh

---- Respondents

For Petitioner	:	Ms. Ruchi Nagar, Advocate
For Respondents/ State	:	Shri Avinash Singh, Panel Lawyer

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

1. Heard.
2. The grievance of the petitioner is that the services of the petitioner has been transferred from Government Primary School Bhatapara Taroud, Block Balod, District Balod to Government Primary School Tengna Barpara, Block Gurur, District Balod vide order dated 12.07.2019.
3. It is contended that the said transfer order has been passed on back date and earlier transfer order when was passed name of petitioner was not

mentioned in the list. It is further contended that wife of the petitioner also workers at District Balod and children of petitioner are studying and if this mid session transfer is effected, it will have negative impact and will cause undue hardship to the petitioner.

4. Learned State counsel on instructions would submit that the distance between the transferred place is at the distance of 40 to 45 kms.
5. Perusal of the transfer order shows that it is in the same district, therefore, unless and until the transfer order really have impact in discharging of duties or tainted with malafide or against the policy it cannot be interfered. When transfer is made within one district it cannot be presume that undue hardship is done and in the same district the distance would play a major role if transfer is within periphery of 40 to 45 kms no prejudice can be said to have caused.
6. In the instant case, I do not find any ambiguity or illegality in the transfer order of the petitioner, therefore, the petitioner shall be at liberty to make a representation within a period of 15 days before Respondent No.1 from the date of receipt of a copy of this order and the respondent in turn shall consider and decide the same within a further period of 45 days.
7. With the aforesaid observation, the writ petition stands disposed of.

Sd/-

Goutam Bhaduri
Judge