

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 10596 of 2019**

Tilak Ram Mandavi, S/o. Late Mr. Phool Singh Mandavi, Aged About 54 Years, Occupation Principal, Posted At Government Higher Secondary School Pidhapal, Block Kanker, District Uttar Baster Kanker, Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh, Through Secretary, School Education Department (T), Mahanadi Bhawan, Mantralaya, New Raipur, District Raipur, Chhattisgarh.
2. District Education Officer, District Uttar Baster Kanker, Chhattisgarh.
3. District Education Officer, District Kondagaon, Chhattisgarh.
4. The Director, Directorate Of Public Education, Indravati Bhawan, Atal Nagar, Naya Raipur, District Raipur, Chhattisgarh.

---- Respondents

For Petitioner : Mr. Parag Kotecha, Advocate

For State/Respondents : Mr. Neeraj Pradhan, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****13.12.2019**

1. Grievance of the petitioner is that the petitioner was transferred by order dated 21.08.2019 from Govt. Higher Secondary School, Pidhapal, Block Kanker, District Kanker to Govt. Boys Higher Secondary School, Kondagaon, District Kondagaon. Thereafter, it is stated that by a communication dated 11.09.2019, the District Education Officer, Kondagaon, informed to the Director, Directorate of Public Education that the post of the Principal is not vacant at Kondagaon as the petitioner is a Principal. However,

despite the fact, the petitioner has been relieved by Annexure P-3 to join at Kondagaon and the petitioner is not been able to join as the post of the Principal is not vacant.

2. Perused the Annexure P-2 & P-3. Annexure P-2 purports that the post of Principal is not vacant wherein the petitioner was transferred and Annexure P-3 speaks that the petitioner has been relieved to join at Kondgaon. Considering the same, the petitioner is given a liberty to make a representation before the respondent No.1, Secretary, School Education Department, within a period of 3 weeks from today, who in turn shall decide the same within an outer limit of 45 days from the date of receipt of the representation. Till the representation is decided, no coercive steps shall be taken against the petitioner.
3. With the aforesaid direction, the writ petition stands disposed of.

**Sd/-
(Goutam Bhaduri)
Judge**