

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 226 of 2020

Deepak Lal S/o Shri Ramcharan Aged About 35 Years Working As Assistant Teacher (L.B.) And Posted At Government Middle School Parasada (Ved), Block Masturi District Bilaspur Chhattisgarh Resident Of Usalapur, Tahsil Takhatpur, District Bilaspur Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary Department Of Education, Mahanadi Bhawan, Mantralaya, Atal Nagar, New Raipur , District Raipur Chhattisgarh.
2. Collector Bilaspur , District Bilaspur Chhattisgarh.
3. District Education Officer Bilaspur , District Bilaspur Chhattisgarh.

----Respondents

For petitioner – Shri Mirza Hafeez Baig, Advocate.
For State-Shri Kunal Das, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

13/01/2020

1. Grievance of the petitioner is that because the petitioner was suffering with permanent disability to the extent of 50% he requested for transfer near Uslapur as his relatives are staying at Uslapur. It was prayed that nearby the same place the petitioner may be transferred, however the petitioner instead of nearby place to Uslapur, the petitioner has been transferred to Masturi i.e. from Government Middle School, Sejbahar, District Raipur to Government Middle School, Parsada Baig, Block Masturi, District Bilaspur. He referred to medical document Annexure P-3 to show that the petitioner is 50% disabled and he is not able to travel to some distance. He submits that as per transfer policy clause 2.9 the person who are physically disabled normally should be transferred to place where commuting is easy. Considering the physical disability commuting of the petitioner is extremely difficult, therefore transfer may be

made otherwise in some nearby place from Uslapur as the petitioner may travel to that place without any difficulty as per transfer policy.

2. During the course of argument it is fairly submitted that the petitioner has joined the place of transfer at Parsada Baig, Block Masturi, District Bilaspur, however he is facing extremely difficulty because of his physical disability. Transfer policy clause 2.9 purports that the person who are physically disabled normally should be transferred to place where commuting is easy. Considering the medical document of the petitioner, the petitioner is given liberty to make a representation to the respondent No.1, Secretary, Department of Education, Raipur along with all the medical documents within a period of three weeks from today which may be decided considering the medical ailment of the petitioner within a further period of 60 days.

3. With such observation, the petition stands disposed of.

Sd/-

(Goutam Bhaduri)

JUDGE