

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 784 of 2020

Yogesh Kumar Kaushik S/o Shri Bhanupratap Kaushik Aged About 34 Years R/o Ward No. 1, Near Old High School, Seepat, District Bilaspur, Chhattisgarh. (Name Of Petitioner Wrongly Mentioned As Yogendra Kumar Kaushik Instead Of Yogesh Kumar Kaushik In Transfer Order Dt. 21-08-2019, Annexure P/1) Presently Posted As - Assistant Block Education Officer, Masturi, District Bilaspur, Chhattisgarh.

---- Petitioner

Versus

1. The State Of Chhattisgarh Through- The Secretary, Department Of School Education Department, Mantralaya, Mahanadi Bhawan, Nava Raipur, Atal Nagar, Raipur, Chhattisgarh.
2. The Upper Secretary Department Of School Education Department, Mantralaya, Mahanadi Bhawan, Nava Raipur, Atal Nagar, Raipur, Chhattisgarh.
3. The Collector, District Bilaspur, Chhattisgarh.
4. District Education Officer, District Bilaspur, Chhattisgarh.

---Respondents

For petitioner – Shri Kalyan Kalamkar, Advocate.
For State- Shri Ravish Verma, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

05/02/2020

Heard.

1. Grievance of the petitioner is that the petitioner by order dated 21/08/2019 has been transferred from the Office of Block Education Officer, Masturi, District Bilaspur to the Office of Block Education Officer, Jaijaipur, District Janjgir-Champa.
2. The reference is made to the fact that the petitioner is vision impaired and he is suffering with 80% disability, consequently he is not able to move alone. It is further submitted that representation have been made to the Secretary, Higher Education on this ground that he is physically impaired and he continuously requires injection on the eye in 15 days of time gap. Consequently, it would be difficult for him to get medical

support, therefore the transfer order be cancelled.

3. Learned State counsel opposes the argument.

4. Perused the documents. Perusal of the document would show that the petitioner has been shown physically impaired to the extent of 80% with vision and medical document are also filed. Considering the disability certificate and medical document, it is directed that the petitioner shall make a representation alongwith medical document within a period of four weeks from today before the Grievance Redressal Committee. If such representation is filed, same may be decided within a further period of 90 days. Till then the transfer order dated 21/08/2019 in respect of the petitioner shall not be given effect to.

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

Sd/-

(Goutam Bhaduri)

JUDGE