

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 1127 of 2020**

Leela Ram Rantesh, S/o. Shri Ransai, Aged About 46 Years, Lecturer (L.B.),
 Posted At Government Higher Secondary School, Jamgahana, Baikunthpur,
 District- Koriya, Chhattisgarh, R/o. Premabag, Baikunthpur, District- Koriya,
 Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh, Through- The Secretary, School Education Department, Mantralya Mahanadi Bhawan, Naya Raipur, District- Raipur, Chhattisgarh.
2. Director, Directorate Of Public Education, Indrawati Bhawan, Naya Raipur, Chhattisgarh.
3. District Education Officer Koriya, Baikunthpur, District- Koriya, Chhattisgarh.
4. Principal, Government Higher Secondary School, Jamgahana, Baikunthpur, District- Koriya, Chhattisgarh.

---- Respondents

For Petitioner : Smt. Meena Shastri, Advocate

For State-Respondents : Shri Priyank Rathi, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****20.02.2020**

Heard.

1. Learned counsel for the petitioner would submit that the petitioner was transferred to the School at Ramanujnagar, District Surajpur in the year 2014. He joined there as per Annexure P-3. Subsequently, he was facing difficulty as his children are studying in the other district, therefore, he made a request and had given three options for his transfer i.e. one School at Jamgahana, second School at Charcha and third School at Salka. Subsequently, on the ground that the children are studying at Central School Baikunthpur and the family is settled at Baikunthpur, pursuant

thereto the transfer order was issued on 21.08.2019 whereby the petitioner was transferred to Government Middle School Jamgahana, Baikunthpur and in execution of such transfer order, the petitioner joined to the School at Jamgahana, Block Baikunthpur, District Koriya on 26.08.2019. Subsequently, the said transfer has now been canceled by order dated 13.02.2020 which have an effect that petitioner has to rejoin the earlier place of posting. It is contended that the petitioner once has been transferred and had joined the new place of posting and then within a period of about 6 months, the order of cancellation cannot be made. The option of the petitioner which was given earlier either to transfer or to keep in School at Jamgahana or the School at Charcha and Salka may be considered.

2. The prayer made by the petitioner appears to be fair and reasonable. The petitioner having complied the order of transfer and the same having been executed, within a short span of time, the cancellation of the petitioner's transfer order would affect the transfer would amount to put him back to the earlier place of posting within a short span of time. Therefore, in the facts of this case, the petitioner is given liberty to make a representation to the respondent No.1, Secretary, School Education Department, along with copy of his earlier option letter wherein he has sought for transfer to three Schools that may be considered. The petitioner may file his representation within a period of 3 weeks and thereafter the respondent No.1 may decide the same within a further period of 60 days. In the meanwhile, since the petitioner has already joined and working at Govt. School Jamgahana, he may not be forced to join back to his earlier place of posting till the representation is decided.
3. With the above observations, this writ petition stands finally disposed of.

Sd/-
Goutam Bhaduri
Judge