

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 2916 of 2020**

Chhatrapaal Sahu S/o Chudamani Sahu, Aged About 54 Years Working As Assistant Teacher (L.B.) Government School Bundeli, Block Korba, District Korba Chhattisgarh

---- **Petitioner**

Versus

1. State Of Chhattisgarh Through Secretary School Education Department Mahanadi Bhawan, Atal Nagar, Naya Raipur, District Raipur Chhattisgarh
2. The Collector, Korba, District Korba Chhattisgarh
3. District Education Officer, Korba, District Korba Chhattisgarh
4. Block Education Officer, Block Korba, District Korba Chhattisgarh

---- **Respondents**

For Petitioner : Mr. Vikas Pandey, Advocate

For Respondents/State : Ms. Akanksha Jain, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri**ORDER**

22.07.2020

Heard

1. The grievance of the petitioner is that the petitioner's services have been attached/transferred from Government Primary School Bundeli, Block Korba to Government Primary School Khetarapara, Block Korba. It is contended that the said transfer has been made on the alleged complaint of the villagers without giving any opportunity of hearing to the petitioner, therefore, the petitioner may be given liberty to make a representation to the District Education Officer, Korba.
2. On the other hand, learned State counsel would submit that the distance of the transferred place from the present place of posting is only 11 Km away; therefore, no interference is required by this Court in this case and the petition is liable to be dismissed.

3. Perused the documents. Considering the fact that the placement of the petitioner is within the same Block from one School to another, which is also said to be within 11 Km of range, I do not find any illegality in the order to interfere. The transfer being the incident of service, it is the State Government which would decide whether the particular person has to be placed or posted. Unless and until the transfer shock the conscience of Court for any reason of illegality or arbitrariness, normally the interference of the Court is not called for unless facts are shown otherwise. Accordingly, the petition is dismissed. However, the petitioner shall be at liberty to make a representation to the Respondent No.3, if so advised.

Aks

Sd/-
Goutam Bhaduri
Judge