

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 10642 of 2019

Ajay Kumar Vishwas S/o Late Banomali Vishwas Aged About 61 Years
Working as Assistant Director Education and Posted at Office of District
Education Officer, District : Mahasamund, Chhattisgarh
--- **Petitioner**

Versus

1. State of Chhattisgarh through the Secretary, Department of Education Development, Mantralaya, Mahanadi Bhawan, Atal Nagar Nawa Raipur District Raipur Chhattisgarh.
2. Collector Mahasamund District Mahasamund Chhattisgarh.
3. District Education Officer Mahasamund District Mahasamund Chhattisgarh.
---- **Respondent**

For the Petitioner : Mr. Ajay Shrivastava, Advocate.

For the State/Respondents : Mr. Avinash Singh, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

09-01-2020

1. The grievance raised in this writ petition is that the petitioner who is working as Lecturer, vide order dated 22.8.2019, has been transferred from the Office of District Education Office, District Mahasamund to Higher Secondary School, Basin, Gariyaband, Distt. Gariyaband on administrative ground.
2. It is stated that thereafter the petitioner made a representation on the ground that he has left the service of only one and half year for retirement and further he is an office bearer being the Regional Secretary of Chhattisgarh Shikshak Congress. He refers to Annexure P-3 dated 26.08.2019 and would submit that the representation has been made to the Grievance Reddressal Committee, however, the same has not been decided.

3. On earlier occasion, learned State Counsel was directed to seek instructions as to whether the representation has been decided or not . Today when the matter is taken up, learned State submits that the instructions are awaited.
4. Perused the documents. Annexure P-4 prima faice would show that the petitioner is an office bearer of Chhattisgarh Shikshak Congress wherein he was shown as Regional Secretary. As per the transfer policy, if the person is office bearer of certain employees Union normally he is protected from transfer. In view of this, since representation has already been made wherein different grounds have been raised including the fact that he is an office bearer of the Teachers Union and is left with service of near about one and half year for his superannuation and his wife is working as teacher at Mahasamund, the said representation may be considered and decided by the Grievance Reddressal committee within a period of 60 days from the date of receipt of copy of this order.
5. Till the representation of the petitioner is decided, the status quo as it obtains today shall be maintained by the parties.
6. With the above observation, this writ petition stands disposed off.

Sd/-

**GOUTAM BHADURI
JUDGE**