

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****WA No. 217 of 2021**

- Farukh Ahmed S/o Shri Mohammd Abdul Rahim Khan, aged about 57 Years, Occupation Yoga Teacher, R/o Near Aajam Kirana Store, Nayapara, Thana Goalbajar, Raipur, District Raipur (Chhattisgarh).

---- Appellant**Versus**

1. State of Chhattisgarh Through The Secretary, School Education Department, Mantralaya, Mahanadi Bhawan, Naya Raipur District Raipur Chhattisgarh.
2. Additional Secretary, School Education Department, Government Of Chhattisgarh, Mantralaya, Mahanadi Bhawan Naya Raipur District Raipur Chhattisgarh.
3. District Education Officer, Gariyaband, District Gariyaband Chhattisgarh.
4. District Education Officer, Narayanpur, District Narayanpur Chhattisgarh.

---- Respondents

For Appellant : Mr. Abdul Wahab Khan, Advocate.
For State/Respondents : Mr. Arijit Tiwari, P.L.

Hon'ble Shri Justice Prashant Kumar Mishra, Acting Chief Justice &

Hon'ble Smt Justice Rajani Dubey

Order on Board by Prashant Mishra, Acting Chief Justice

17/09/2021

Heard.

01. Appellant, is a P.T.I. teacher in the T - cadre in the School Education Department of the State Government. By Annexure P-1 in the writ petition issued by the State Government, he was transferred from Government Higher Secondary School, Gariyaband

to Government Higher Secondary School, Narayanpur. Post of PTI was not vacant in the said school at Narayanpur, therefore, District Education Officer, Narayanpur, allowed him to join at **Girls Higher Secondary School, Narayanpur.**

02. Since the orders were passed in the year 2018, the learned Single Judge, instead of keeping the petition pending, left it open for the petitioner to raise his grievance before the respondent No.4, who shall take appropriate decision considering the petitioner's grievance.

03. Mr. Abdul Wahab Khan, learned counsel appearing for the appellant submits that the original transfer order having been passed by the State Government, neither the District Education Officer, Narayanpur, was entitled to change his place of posting nor learned Single Judge could have sent his matter to be decided by the said respondent.

04. Considering the nature of grievance, the writ appeal is disposed of with observation that the appellant shall make a representation in respect of his grievances, if any, arising out of the impugned order and the subsequent order passed by the District Education Officer, before the State Government within a period of six weeks from today and thereafter, the State Government shall consider and decide the representation at the earliest.

Sd/-

(Prashant Kumar Mishra)

Acting Chief Justice

Sd/-

(Rajani Dubey)

Judge