

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 6355 of 2021**

- Chaitanya Prakash Bajpai S/o Umesh Chandra Aged About 58 Years Working As Senior Co-Operative Inspector, At The Office Of Deputy Registrar Co-Operative Societies Old Composite Building Bilaspur District Bilaspur Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Department Of Co-Operative Mahanadi Bhawan, Mantralaya New Raipur, District Raipur (Chhattisgarh)
2. Registrar Sahakari Societies, Chhattisgarh Indravati Bhawan, Atal Bhawan, Raipur, District Raipur Chhattisgarh
3. Deputy Registrar Sahakari Society Bilaspur, District Bilaspur Chhattisgarh
4. Smt. Shobha Mahendra Bande Working As Senior Co-Operative Inspector At Offence Of Assistant Registrar, Co-Operative Society Dantewada, District Dantewada Chhattisgarh

---- Respondents

For Petitioner	:	Shri Ajay Shrivastava, Advocate
For State	:	Ms. Sunita Jain, Govt. Adv.

S.B.: Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****06/12/2021**

Heard.

1. Learned counsel for the petitioner submits that in the mid academic session, the petitioner has been transferred as Senior Co-operative Inspector, Bilaspur to the office of Assistant Registrar, Co-operative Society, Dantewada. It is submitted that petitioner's elder son is studying in LLB Part -I and the other son is studying in class 11 in Bilaspur. Therefore, in the light of decision

of the Supreme Court in the case of **Director of School Education v. O. Karuppa Thevan, 1994 SCC, Suppl. (2) 666**, the transfer order may be stayed till completion of academic session i.e. March, 2022.

2. Learned State counsel would oppose the prayer.

3. I have heard learned counsel for the parties, considered the rival submissions made herein above and also gone through the records with utmost circumspection.

4. Taking into consideration the decision of the Supreme Court and considering that petitioner's two sons are studying, one in college and the other in school, it would be expedient to allow the petitioner to make representation to respondent No.1 within 10 days from today along with certified copy of this order. Thereafter, respondent No.1 shall consider his case in the light of decision of the Supreme Court in the case of **Director of School Education** (supra) and take decision within next two weeks. For a period of four weeks, the petitioner shall not be relieved from the present place of posting.

5. With the aforesaid observations, this petition is finally disposed off.

Sd/-
(**Sanjay K. Agrawal**)
Judge