

(2019) 10 CHH CK 0141
In the Chhattisgarh High Court
Case No : Writ Petition (S) No. 8597 Of 2019

Om Prakash Pandey

APPELLANT

Vs

State Of Chhattisgarh And Ors

RESPONDENT

Date of Decision : 18-10-2019

Acts Referred:

Citation : (2019) 10 CHH CK 0141

Hon'ble Judges : Goutam Bhaduri, J

Bench : Single Bench

Advocate : Shakti Raj Sinha, Alok Bakshi

Final Decision : Disposed Of

Judgement

Goutam Bhaduri, J

1. The grievance of the petitioner is that the petitioner has been transferred from Government Boys Higher Secondary School Shankargarh, District

Ramanujganj to Government High School, Badgaoan Khurud Block Janakpur, District Koriya. However, the remark column says that it was

voluntary/ on own accord . Learned counsel for the petitioner submits that the petitioner has never made an application for transfer to any place and

the remark column has been wrongly written that the petitioner has sought for voluntary transfer. It is further submitted that the post of the petitioner

was district cadre post and appointed by the Collector and while transfer of the petitioner at District Koriya, his seniority would be affected and

further the post of the petitioner which the petitioner holds cannot be transferred outside the District as it affects his seniority.

2. Learned State counsel opposes the same.

3. Considering the fact that disputed fact has been raised and the petitioner has

not made any request for transfer and the transfer has been done on the ground that it was voluntary/ on own accord. Further it appears subject to exception that the seniority of the petitioner appears to be maintained in District wise, it is directed that the petitioner shall file a representation to Respondent No. 1 within 15 days from the date of receipt of copy of this order. The representation so made shall be decided within a further period of 45 days, till then the transfer order of the petitioner shall not be given effect to.

4. Accordingly, the petition stands disposed of.