

1 (6)
Single Bench

IN THE HON'BLE HIGH COURT OF CHHATTISGARH AT

BILASPUR (C.G.)

W. P. (S) No. 179 of 2012

PETITIONER

: Fanindranath Sahu S/o Shri Makhanlal Sahu, aged about 46 years, working as Headmaster, R/o M-272, Ompur Colony, Rajgamar, District-Korba (C.G.)

VERSUS

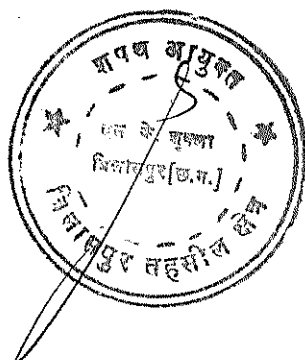
RESPONDENTS

:1.

State of Chhattisgarh
Through the Secretary, Scheduled Castes & Scheduled Tribes Department, Secretariat D.K.S. Bhawan, Raipur (C.G.).

2. The Collector (Tribal Welfare), Korba, District-Korba (C.G.)
3. The Assistant Commissioner, Tribal Development, Korba, District-Korba (C.G.)
4. The Block Education Officer, Korba, District-Korba (C.G.)
5. The Headmaster, Primary School Lemru, Block-Development, Korba, District-Korba (C.G.)

T.C. No. 179/12
Presented by Shri. Samendra Behar
dated 11/1/12



WRIT PETITION UNDER ARTICLE 226 OF THE
CONSTITUTION OF INDIA

(S)
4/12/12

(26) (27)

HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION (S) No. 179 of 2012

PETITIONER : Fanindranath Sahu.
VERSUS
RESPONDENTS : State of Chhattisgarh & Others.

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA

SB: Hon'ble Shri Satish K. Agnihotri, J.

Present: Shri Sameer Behar, Advocate for the petitioner.
Shri Arun Sao, Government Advocate for the State/
respondents.

ORDER

(Passed on 31st day of January, 2012)

1. Challenge in this petition is to the order dated 15.07.2011 (Annexure P/1) whereby the petitioner, working as Head Master at Primary School, Amadand, Korba, has been transferred to Primary School, Lemru, Korba, on administrative grounds.
2. Shri Behar, learned counsel appearing for the petitioner submits that the place where the petitioner has been transferred, one Head Master is already posted and thus, it is difficult for the petitioner to join the transferred place of posting. Shri Behar further submits that since the person posted at Primary School, Lemru has not been transferred to any other place, thus, the Head Master, Primary School, Lemru did not hand over the charge to the petitioner when he went to join there. It is further submitted that the petitioner is not being given his salary for the the last four months. Thus, this petition.
3. Heard learned counsel appearing for the petitioner, perused the pleadings and documents appended thereto.



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4. It appears that the person posted at Primary School, Lemru has not been transferred to any other place. Thus, this situation has arisen wherein the petitioner could not be handed over the charge of that school. In that event, the State/respondents are directed to take steps for compliance of the order dated 15.07.2011 (Annexure P/1) forthwith within a period of two weeks, or pass a fresh order in administrative exigency so that the petitioner may not run from pillar to post for taking charge of the new place of posting.
5. So far as grievance of the petitioner with regard to payment of salary is concerned, the petitioner is at liberty to make a representation to the respondent authorities, if so advised.
6. With the aforesaid observation and direction, the writ petition is disposed of.

Sd/-
Satish K. Agnihotri
Judge