

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 5622 of 2019

Vinod Koshle S/o Shri Panchram Koshle, Age 42 Years, R/o Behind Petrol Pump, Shail Vihar, Village Mangla, District Bilaspur Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Education Mantralaya Mahanadi Bhawan, New Raipur, District Raipur Chhattisgarh
2. Collector, Bilaspur Collectorate Building, District Bilaspur Chhattisgarh
3. Chief Executive Officer, Zila Panchayat Bilaspur, District Bilaspur Chhattisgarh
4. District Education Officer, District Bilaspur, Chhattisgarh
5. Chief Executive Officer, Janpad Panchayat - Takhatapur, District Bilaspur, Chhattisgarh
6. Sarita Awasthi, Shiksha – Karmi, Govt. Primary School - Bhatapara-Tikari, Block Masturi, District Bilaspur, Chhattisgarh

---Respondents

For Petitioner	:	Mr. Sangharsh Pandey, Advocate.
For State	:	Mr. Chandresh Shrivastava, Dy. A.G.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

31.07.2019

1. Learned counsel for the petitioner submits that vide order dated 12.07.2019 the petitioner has been transferred from Primary School, Ghuru, Block Takhatpur, District Bilaspur to Primary School, Manva, Block Masturi only to accommodate respondent no.6. He submits

that the wife of the petitioner is also a Shiksha Karmi and is physically disabled and she is posted at Mendra. He submits that the distance between Ghuru to Mendra is only 3 kilometers whereas the place where the petitioner has been transferred i.e. Manva is more than 50 kilometers away from the present place of posting. He submits that as per the policy of the State, husband and wife are kept at one place, therefore, only to accommodate respondent no.6 the petitioner cannot be transferred.

2. Perused the documents as also the disability certificate of the wife of the petitioner i.e. Annexure P-2. Annexure P-3 also shows that the wife of the petitioner Khusbhu Koshle is working at Govt. Primary School, Mendra.
3. Considering the medical disability certificate of the wife of the petitioner as also the transfer policy of the State, liberty is granted to the petitioner to make a representation to the Grievance Redressal Committee constituted by the State to decide the cases of transfer, within a period of 7 days from today and the Grievance Redressal Committee may decide the same within a further period of 45 days from the date of receipt of the representation. Till then, the transfer in respect of the petitioner shall not be given effect to.
4. With the aforesaid observation, the present writ petition stands disposed off.

Sd/-
(Goutam Bhaduri)
Judge