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**IN THE HIGH COURT OF MADHYA PRADESH  
AT INDORE**

**BEFORE  
HON'BLE SHRI JUSTICE VIJAY KUMAR SHUKLA**

**ON THE 30<sup>th</sup> OF NOVEMBER, 2022**

**WRIT PETITION No. 26859 of 2022**

**BETWEEN:-**

**BAPU SINGH LABANA S/O SHRI KASTOORCHAND  
LABANA, AGED ABOUT 52 YEARS, OCCUPATION: GOVT.  
TEACHER VILLAGE BASINDRA TEHSIL SAILANA  
DISTRICT RATLAM (MADHYA PRADESH)**

**.....PETITIONER**

***(SHRI GOPAL KRISHNA PATIDAR, LEARNED COUNSEL FOR THE  
PETITIONER)***

**AND**

- 1. GENERAL ADMINISTRATION DEPARTMENT  
PRINCIPAL SECRETARY VALLABH BHAWAN  
BHOPAL (M.P.) (MADHYA PRADESH)**
- 2. COLLECTOR NEW COLLECTORATE MHOW  
NEEMUCH ROAD RATLAM (MADHYA PRADESH)**
- 3. ASST. COMMISSIONER JANJAATI KARYA VIBHAG  
SAGOR ROAD RATLAM (MADHYA PRADESH)**

**.....RESPONDENTS**

***(SHRI SHANTNU CHOURASIA, LEARNED P.L. FOR THE  
RESPONDENTS/STATE)***

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*This petition coming on for admission this day, the court passed the  
following:*

**ORDER**

The petitioner is working as a Teacher has challenged the legality and validity of the transfer order dated 05.10.2022 passed by the Assistant Commissioner, Tribal Department, Ratlam whereby the petitioner has been transferred from present place of posting to E.G.S. Nai Abadi, Bhadankhurd,

Sankul Kendra, Higher Secondary School, Kundanpur, Block Bajna.

Counsel for the petitioner submits that petitioner is elected Vice President of Madhya Pradesh Shikshak Congress, Ratlam which is recognized Employees Association by the Government and as per the transfer policy of the State Government, the petitioner is entitled for exemption of transfer for two terms. A representation in this regard has been submitted by the President of Madhya Pradesh Shikshak Congress, Branch Ratlam.

After hearing learned counsel for the petitioner, I deem it expedient to dispose off the petition with liberty to the petitioner to file a representation before the respondent No.3 along with the relevant record within a period of 7 days from today and if such representation is submitted, the same shall be considered and decided by the said Authority in accordance with the law within a period of one month from the date of filing of the representation.

Till the representation of the petitioner is decided by the respondent No.3, the petitioner shall be allowed to work at present place of posting.

With the aforesaid, the writ petition is disposed off.

CC as per rules.

**(VIJAY KUMAR SHUKLA)**  
**JUDGE**

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