

(2019) 10 CHH CK 0126

Chhattisgarh High Court

Case No: Writ Appeal No. 480 Of 2019

Hari Shankar Gupta

APPELLANT

Vs

State Of Chhattisgarh And Ors

RESPONDENT

Date of Decision: Oct. 17, 2019

Hon'ble Judges: P.R. Ramachandra Menon, CJ; Parth Prateem Sahu, J

Bench: Division Bench

Advocate: Sumit Singh Rathore, Sudeep Verma

Final Decision: Dismissed

Judgement

P. R. Ramachandra Menon, CJ

1. Challenge is against the judgment passed by the learned Single Judge declining to interfere with the transfer order Annexure P/1 dated 12.07.2019,

whereby the service of the Petitioner has been transferred from the Government Middle School, Sontarai, Block Udaipur, District Surguja (C.G.) to

the Government Middle School, Kot, Block Mainpat, District Surguja (C.G.).

2. The learned counsel for the Appellant submits that the merit of the case has not been considered and the transfer order has been passed in violation

of the dead line. It is pointed out that the Appellant is likely to suffer in view of the fact that he has been transferred to a place where already one

teacher in surplus is working, which may adversely effect the right of the Appellant to draw the salary as well.

3. On going through the verdict under challenge, it is seen that the matter was disposed off based on the submission made on the part of writ

Petitioner, that Petitioner would be satisfied, if liberty was given to prefer a representation before the Respondents raising all the relevant grounds and

to have it decided as expeditiously as possible. It was accordingly, that the matter was disposed off with liberty to the Petitioner to prefer detailed representation before the Respondents with regard to the transfer, simultaneously directing the Respondents to have it finalized as expeditiously as possible, it being a case of transfer. Form the above, it is quite evident that it is an agreed order and as such, the Appellant is not justified in taking 'u-turn' to have it challenged by filing an appeal.

4. We do not find any merit. Interference is declined. Appeal is dismissed without prejudice to the rights as already granted by the learned Single Judge.