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WA-2643-2025

IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE SANJEEV SACHDEVA,
CHIEF JUSTICE

&

HON'BLE SHRI JUSTICE VINAY SARAF

ON THE 25th OF SEPTEMBER, 2025

WRIT APPEAL No. 2643 of 2025

DURGESH PRASAD VISHWAKARMA

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

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Appearance:

Shri Devendra Kumar Tripathi - Advocate for the appellant.

Shri Anubhav Jain - Government Advocate for the respondents/State.
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ORDER

Per. Hon'ble Shri Justice Sanjeev Sachdeva, Chief Justice

Appellant impugns order dated 03.09.2025, whereby the writ petition filed by the petitioner impugning the order of transfer has been dismissed.

Appellant has been transferred from Govt. Primary School Dhumma Tola Dhanahara, Sankul Kendra Govt. H.S.S.Mada, Block Waidhan, District Singrauli to Govt. Middle School Bagdara, Block Chiutrangi, District Singrauli.

Appellant had earlier approached this Court by way of Writ Petition No.23491/2025, which was disposed of by order 08.07.2025 directing the respondents to decide the representation of the petitioner and it was directed that pending the consideration of the representation, petitioner shall continue at the present place of posting i.e. at Govt. Primary School Dhumma Tola Dhanahara, Sankul Kendra Govt. H.S.S.Mada, Block Waidhan, District Singrauli. The said representation has been dismissed by order dated 18.08.2025, which has been



challenged by the petitioner in the subject writ petition.

We note that the order dated 18.08.2025 specifically notices the ground raised by the petitioner i.e. illness of his wife. However, after noticing the said ground, there is no discussion with regard to the illness of wife of petitioner and simply administrative exigency has been cited and the representation has been rejected.

We are of the view that the authorities were liable to atleast take into consideration the medical illness of the wife of appellant and take a conscious decision for the same which has not been done.

Accordingly, the order dated 18.08.2025 is not sustainable, the same is thus set aside.

The respondents are directed to once again decide the representation of appellant in accordance with law, after taking into account the medical documents and illness of wife of the appellant.

It is further directed that till the time the representation is decided, appellant shall be permitted to continue on the original place of posting at Govt. Primary School Dhumma Tola Dhanahara, Sankul Kendra Govt. H.S.S.Mada, Block Waidhan, District Singrauli.

The appeal is accordingly disposed of in the above terms.

(SANJEEV SACHDEVA)
CHIEF JUSTICE

(VINAY SARAF)
JUDGE