

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 6477 of 2014

Smt. Razia Maqbool Wd/o Late Maqbool Hussain Aged About 52 years
R/O Rasulpur Ambikapur P.S. And Post Ambikapur, Civil and Revenue
District, Surguja, C.G.

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, School. Education Department Mahanadi Bhawan, Capital Complex, New Raipur, District Raipur, C.G.
2. The Director,Public Education Directorate, Chhattisgarh New Raipur, District Raipur, C.G.
3. District Education Officer, Ambikapur, Distt. Surguja, C.G.
4. Suchita Khalko Principal Govt. Girls Higher Secondary School, P.S. and Post Civil and Revenue District Surguja, C.G.

---- Respondents

For Petitioner	Shri Vikram Dixit, Advocate
For Respondent/State	Shri Arvind Dubey, PL
For Respondent No.4	Shri Raghvendra Pradhan

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

30/06/2015

1. With the consent of the learned counsel for the parties, the matter is heard finally.
2. By the impugned order dated 02.12.2014 (Annexure-P-1), the petitioner, who was working as Principal at Government Girls Higher Secondary School, Ambikapur, has been attached in the office of the

District Education Officer (hereinafter for short referred to as 'the DEO'), Ambikapur.

3. The occasion for passing the impugned order arose because, the respondent No.4, who was working as Principal at Government Girls Higher Secondary School, Mainpur Ward, Ambikapur, was promoted and posted as Principal of the Government Girls Higher Secondary School, Ambikapur. It is stated that the respondent No.4 had already joined at the posted place after her relieving by the DEO, Ambikapur on 03.12.2014.
4. Learned State counsel would submit that in view of the order of status-quo passed by this Court in the present petition, both the petitioners were working in the Government Girls Higher Secondary School, Ambikapur, therefore, the State Government has passed an order transferring the respondent No.4 from the Government Girls Higher Secondary School, Ambikapur to Boys Higher Secondary School, Bishrampur and the respondent No.4 had already joined at Bishrampur on 28.05.2015, therefore, the present writ petition has been rendered infructuous.
5. At this stage, learned counsel for the petitioner and learned counsel for the respondent No.4 as well would submit that they have not received salary during pendency of the writ petition.
6. Since the State Government has already resolved the dispute by transferring the respondent No.4 from Ambikapur to Bishrampur, the writ petition is disposed of with a direction that the petitioner shall be allowed to continue at the Government Girls Higher Secondary School, Ambikapur subject, however, to passing of any other order by the

State Government depending upon the administrative exigency. If the petitioner and respondent No.4 have worked during this period, the respondents shall release their salary in accordance with law.

Sd/-

JUDGE

PRASHANT KUMAR MISHRA

Nirala