

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3266 of 2015

- Smt. S. A. Francis, W/o Shri Sudhir Francis, Aged About 50 Years Working As Assistant Grade - 2, Resident Of Sanjay Apartment, Vyapar Vihar Road, Bilaspur, Tahsil And District Bilaspur (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, School Education Department, Mantralaya New Raipur, P. S. Rakhi, District Raipur (Chhattisgarh)
2. The Commissioner, Bilaspur Division, Bilaspur (Chhattisgarh)
3. The District Education Officer, Bilaspur, District Bilaspur (Chhattisgarh)

---- Respondents

For Petitioner

Shri V.R. Tiwari, Advocate

For Respondent/State

Shri Sangharsh Pandey, Dy. GA

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board By

07/09/2015

Heard finally with the consent of the learned counsel for the parties.

1. In the present writ petition, the petitioner would assail the order passed by the District Education Officer (for short 'the DEO'), Bilaspur, whereby the petitioner, who is working as Assistant Grade-II in the Government Girls Higher Secondary School, Chakarbhatha, Bilha, has been transferred in the same capacity to Government Higher Secondary School, Budhikhar, Masturi.

2. Learned counsel for the petitioner would submit that similar transfer order passed by the DEO, Bilaspur in WPS Nos.2931/2015, 3079/2015 and 3222/2015 has been quashed by this Court on the basis of affidavit filed by the secretary of the concerned department to the effect that the DEO has violated the State Government's circular dated 01.07.2015.
3. Learned State counsel would not dispute the order passed by this Court in WPS Nos.2931/2015, 3079/2015 and 3222/2015.
4. For the foregoing, the writ petition is allowed. The impugned order is quashed, however, the respondents would be at liberty to pass afresh order, in accordance with law, depending upon the administrative exigency.

Sd/-

JUDGE

PRASHANT KUMAR MISHRA

Nirala