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HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 4018 of 2015**

Smt. Sharda Dubey W/o Shri Rakesh Kumar Dubey, Aged About 34 Years R/o House No. 72, Ward No. 30, In Front Of Govt. Multipurpose Higher Secondary School, Thanganjpara Ambikapur District Surguja Chhattisgarh Working As Assistant Teacher Panchayat, Govt. Primary School Bariyo, Block Rajpur, District Balrampur Ramanujganj Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary School Education Department, Mahandi Bhawan, Raipur Chhattisgarh
2. Collector, Balrampur Ramanujganj, District Balrampur Ramanujganj (Chhattisgarh)
3. Chief Executive Officer, Zila Panchayat Balrampur District Balrampur Ramanujganj Chhattisgarh
4. Chief Executive Officer, Janpad Panchayat Balrampur District Balrampur Ramanujganj Chhattisgarh
5. Block Education Officer, Rajpur, Block Rajpur, District Balrampur Ramanujganj Chhattisgarh

---- Respondents

For Petitioners : Mr. A.L. Singraul, Advocate.
 For Respondents/State: Mr. Garry Mukhopadhyaya, Dy. Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****04/11/2015**

(1) By the impugned order dated 14.10.2015, the petitioner has been transferred from Govt. Primary School, Kanya Bario to Govt. Primary School, Sidhma within the same block.

(2) Counsel for the petitioner would submit that petitioner is holding the post of Assistant Teacher (Panchayat) and also the District Secretary of Chhattisgarh Sikshak Congress, District

Balrampur, Ramanujgan, which is evident from Annexure P-2 and by Circular dated 23.06.2009 (Annexure P-9) issued by the State Government, she cannot be transferred, if she is holding the said post; and contrary to that, she has been transferred.

(3) In view of above, the petitioner is directed to make representation within 10 days from today to the Collector, Balrampur and, in turn, the Collector shall decide the representation of the petitioner keeping in view the circular dated 23.06.2009 issued by the State Government and considering the grievance of the petitioner within four weeks from the receipt thereof.

(4) For the period of four weeks, the transfer order dated 14.10.2015 relating to the petitioner shall remain stayed.

(5) In view of above, the writ petition stands disposed of.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-