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HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 2901 of 2015**

- Smt. Yogita Sahu W/o Shri Nandlal Sahu Aged About 42 years Occupation Lecturer (Panchayat) Posted At Government Kasturba Gandhi Balika Awasiya Vidyalaya (KGBV) Middle School, Bansula, Block Basna, Distt Mahasamund (Chhattisgarh)

---- Petitioner**Versus**

1. State of Chhattisgarh Through The Secretary, Panchayat Department, Mantralaya, Mahanadi Bhawan New Raipur (Chhattisgarh)
2. The Collector Mahasamund District Mahasamund (Chhattisgarh)
3. Chief Executive Officer, Jila Panchayat Mahasamund, District Mahasamund (Chhattisgarh)
4. District Project Coordinator, Rajiv Gandhi Shiksha Mission, Mahasamund Distt Mahasamund (Chhattisgarh)
5. District Education Officer, Mahasamund, Dist Mahasamund (Chhattisgarh)
6. Block Education Officer, Basna, Dist Mahasamund (Chhattisgarh)
7. Smt Geetanjali Nag W/o Nirmal Kumar Nag Posted As Superintendent At Government Kasturba Gandhi Balika Awasiya Vidyalaya (KGBV) Middle School, Bansula, Block Basna, Distt Mahasamund (Chhattisgarh)

---- Respondents

For Petitioner	:	Shri SK Dadsena, Advocate
For Respondent-State	:	Shri PK Bhaduri, GA for the State

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****11/08/2015**

1. Petitioner is aggrieved by the impugned order passed by the Zila Panchayat, Mahasamund, whereby she has been shifted from Kasturba Gandhi Balika Awasiya Vidyalaya (KGBV) Middle School, Bansula, Block

Basna to Government High School Navgadi, Block Basna.

2. Learned counsel for the petitioner would submit that respondent No.7 Smt. Geetanjali Nag is a probationer Lecturer and has not completed two years service after the appointment, yet she has brought to the residential school at Bansula to facilitate her to obtain current charge of the post of hostel superintendent. He would submit that a probationer Lecturer (Panchayat) cannot be transferred before completion of the period of probation, therefore, shifting of respondent No.7 to the residential school Bansula is illegal.
3. Rule 27 of the Chhattisgarh Panchayat Service (Recruitment and General Conditions of services) Rules, 1999 confers power on the Zila Panchayat to transfer a Panchayat employee from one Panchayat to another, therefore, even if the petitioner or for that matter respondent No.7 are posted to a different Panchayat area, the same is permissible under the Rules.
4. The impugned order is a posting order issued by the Zila Panchayat. Respondent No.7 is not affected by the impugned order. There is no document on record to indicate that respondent No.7 has been posted at residential School, Bansula.
5. The impugned order appears to be a pure and simple administrative exercise undertaken by the Zila Panchayat pursuant to the direction issued by the State Project Office of Rajeev Gandhi Shiksha Mission. Writ Court has limited jurisdiction to interfere with such administrative exercise unless the same is *ex facie malafide* or is in violation of any statutory rules or it otherwise adversely affects the service conditions of the employee.
6. In view of the above, the writ petition is dismissed.

Sd/-

Judge

Prashant Kumar Mishra

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