

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3004 of 2015

- Smt. Usha Kiran Deshmukh W/o Shri Babulal Deshmukh, Aged About 60 Years, Head Master, Govt. Primary School, Bhardakala, Block Gunderdehi, Distt. Balod, Chhattisgarh

---- Petitioner

Versus

1. The State Govt. Of Chhattisgarh Through The Secretary, Panchayat And Gramin Vikas Department, Ministry Mahanadi Bhavan, P. S. Rakhi, New Raipur, Chhattisgarh
2. Collector, Balod, District Balod, Chhattisgarh
3. Milan Singh Thakur Head Master, Govt. Primary School, Bodena, Block Gunderdehi, Distt. Balod, Chhattisgarh

---- Respondent

And

WPS No. 3006 Of 2015

- Milan Singh Thakur S/o Shri Birsingh, Aged About 55 Years ,Head Master, Govt. Primary School, Bodena, Block Gunderdehi, Distt. Balod, Chhattisgarh

---- Petitioner

Vs

1. The State Govt. Of Chhattisgarh Through The Secretary, Panchayat And Gramin Vikash Department, Ministry Mahanadi Bhavan, P. S. Rakhi, New Raipur, Chhattisgarh
2. Collector, Balod, District Balod, Chhattisgarh
3. Smt. Usha Kiran Deshmukh, W/o Shri Babulal Deshmukh, Aged About 60 Years, Head Master, Govt. Primary School, Bhardakala, Block Gunderdehi, Distt. Balod, (Chhattisgarh)

---- Respondent

For Petitioners

Mr. Ajay Shrivastava, Advocate

For Respondent/State

Mr. P.K. Bhaduri, Government Advocate

Hon'ble Shri Justice Prashant Kumar Mishra
Order On Board

20/8/2015

Heard.

(2) The petitioners have impugned the order passed by the Collector, Balod, whereby, Smt. Usha Kiran Deshmukh (petitioner in W.P.(S) No.3004 of 2015), who is working on the post of Head Master, has been transferred from Government Primary School, Bardakala, Gunderdehi to Government Primary School, Bodena, Gunderdehi and Milan Singh Thakur (petitioner in W.P.(S) No.3006 of 2015), who is holding the same post, has been transferred vice-versa to Smt. Usha Kiran Deshmukh.

(3) Since in the impugned order, it is mentioned that the order has been issued on the request made by the petitioners, however, learned counsel for the petitioners would contend that no such application for transfer has ever been made by the petitioners, learned State Counsel was directed to seek instructions in the matter.

(4) Mr. Bhaduri, learned Government Advocate, on instructions from the office of the Collector, Balod, would fairly submit that the petitioners have never made any request for transfer.

(5) In view of the above, the impugned order in so far it concerns the present petitioners, is quashed. However, the respondents would be at liberty to pass fresh order in accordance with law depending upon the administrative exigency.

(6) Accordingly, the writ petitions are allowed to the extent indicated above.

Sd/-

Judge

(Prashant Kumar Mishra)

