

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3762 of 2015

Sunita Prabhakar W/o Shri Surjeet Prabhakar Aged About 30 Years
R/o Village Semara, Post Office Gidhouri, Tehsil & Police Station
Kasdol, District Baloda Bazar Bhatapara, Presently Posted As Shiksha
Karmi Grade- III (Panchayat)/ Assistant Teacher, Government
Primary School, Sail (Girls), Block Kasdol, Janpad Panchayat Kasdol,
District Baloda Bazar Bhatapara (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Panchayat
& Rural Welfare, Mantralaya, Mahanadi Bhawan, New Raipur, District
Raipur (Chhattisgarh).
2. The Collector, District Balodabazar Bhatapara (Chhattisgarh)
3. Zila Panchayat, Baloda Bazar Bhatapara, Through Its Chief Executive
Officer, District Baloda Bazar Bhatapara (Chhattisgarh)
4. Chief Executive Officer, Zila Panchayat Baloda Bazar Bhatapara,
District Baloda Bazar Bhatapara (Chhattisgarh)
5. Block Education Officer, Kasdol, District Baloda Bazar Bhatapara
(Chhattisgarh)
6. Janpad Panchayat- Kasdol, Through Its Chief Executive Officer,
District Baloda Bazar Bhatapara (Chhattisgarh)
7. Chief Executive Officer Janpad Panchayat Kasdol, District Baloda
Bazar Bhatapara (Chhattisgarh)
8. Janpad Panchayat- Simga Through Its Chief Executive Officer, District
Baloda Bazar Bhatapara (Chhattisgarh)
9. Government Primary School (Girls), Through Its Principal,
Government Primary School (Girls), Block Kasdol, Janpad Panchayat
Kasdol, District Baloda Bazar Bhatapara (Chhattisgarh)
10. Principal, Government Primary School (Girls), Block Kasdol, Janpad
Panchayat Kasdol, District Baloda Bazar Bhatapara (Chhattisgarh)

---- Respondents

For Petitioner	: Shri Manish Nigam, Advocate
For Respondent/State	: Shri Dheeraj Wankhede, P.L.

Hon'ble Shri Justice Pritinker Diwaker

Order On Board

15/10/2015

Challenge in the present petition is to the order dated 08.09.2015 (Annexure P-1) whereby the petitioner who is working as Shiksha Karmi Grade-III (Panchayat/Assistant Teacher) has been transferred from Government Primary School (Kanya) Sale to Government Primary School, Chanderi, Block Simga.

Contention of the counsel for the petitioner is that the order impugned has been passed contrary to the rationalization policy framed by the State Government and the petitioner has been transferred in an illegal manner. He further submits that the husband of the petitioner is also working as Shiksha Karmi and after much difficulty he could be transferred to a school where the petitioner is working and now again the husband and wife have been separated. He further submits that the place where the petitioner has been transferred is about 140 kms. away from her present place of posting and that will not only disturb their family life but will cause great difficulty to the petitioner. He submits that at this stage, the petitioner may be permitted to withdraw this petition with liberty to file representation before the Collector and in turn the Collector may be directed to decide the same objectively within a reasonable time.

State counsel has no objection to the above proposition as put forth by the petitioner.

Accordingly, the petitioner is permitted to withdraw this petition with the aforesaid liberty. In the eventuality of filing representation by the petitioner before the Collector within a period of two weeks from today it is expected from the Collector to decide the same within a further period of four weeks from the date of receipt of the same.

It is made clear that this Court has not observed anything on merits and it would be for the Collector to act in accordance with law.

Sd/-
Pritinker Diwaker
Judge