

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No.4382 of 2015**

Smt. Parwati Tekam, W/o Kamdev Tekam, aged about 29 years, at present posted as Assistant Teacher (Panchayat) at Primary School, Kanechur, Block Bhanupratappur, District North Bastar, Kanker (CG)

---- Petitioner**Versus**

1. State of Chhattisgarh, through the Secretary, Department of Panchayat and Rural Development Department, Mahanadi Bhawan, Naya Raipur.
2. The Collector, District North Bastar, Kanker (CG).
3. The Chief Executive Officer, District Panchayat, North Bastar, Kanker (CG).
4. The Chief Executive Officer, Janpad Panchayat, Bhanupratappur, District North Bastar, Kanker (CG).

---- Respondents

For Petitioner : Shri Ashok Kumar Shukla, Advocate.

For Respondents : Shri Y.S. Thakur, Dy.A.G.

Hon'ble Shri Justice Sanjay K. Agrawal
Order On Board

27/01/2016**(1)** Heard.

(2) Learned counsel appearing for the petitioner submits that the petitioner is working as Assistant Teacher (Panchayat), who has been transferred from Primary School, Kanechur, Block and Tahsil Bhanupratappur to Primary School, Dhudhapara, Block-Koylibeda, District Kanker, by the impugned transfer order dated

31.10.2015 (Annexure P/1) passed by respondent No.3-Chief Executive Officer, District Panchayat, North Bastar, Kanker. He further submits that the distance of new place of posting is more than 110 kms from the present school, she has suffered major surgery and having a newly born baby, it is difficult for her to comply the transfer order dated 31.10.2015 and therefore, she may be permitted to file representation before respondent No.2-Collector, District North Bastar, Kanker for redressal of her grievance and direction may be issued to the said authority to decide the same expeditiously.

(3) Prayer appears to be fair and reasonable.

(4) The petitioner is permitted to file the representation before respondent No.2-Collector, District North Bastar, Kanker. If such representation is made by the petitioner within 15 days from today, respondent No.2 shall consider and decide the same on its own merit and in accordance with law preferably within a period of 30 days from the date of receipt of copy of this order along with representation and to consider the grievances of the petitioner.

(5) For the period of 45 days, the effect and operation of the impugned transfer order dated 31.10.2015, in respect of the petitioner shall remain stayed in view of fact that she has suffered major surgery and having a newly born baby.

(6) With the aforesaid observation, the petition stands finally disposed of. No order as to cost(s).

Sd/-

(Sanjay K. Agrawal)
Judge

L/-