

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No.2356 of 2015

1. Smt. Chandrakala Gupta W/o Shri Prahlad Prasad Gupta, Aged About 61 Years R/o Near Khadi Bhandar, Sitapur, Post And Tahsil Sitapur, District Surguja, (Chhattisgarh)
2. Smt. Kanchan Gupta, W/o Shri Sanjay Gupta, Aged About 32 Years R/o Sanjay Electronics, Sitapur, Post And Tahsil Sitapur, District Surguja, (Chhattisgarh)
3. Smt. Santoshi Beg, W/o Shri Ram Bhilas Bhagat, Aged About 32 Years R/o Adarsh Nagar, Jova Tikra Road Sitapur, Post And Tahsil Sitapur, District Surguja, (Chhattisgarh)
4. Ku. Sarita Kujur, D/o Shri Benedik Kujur, Aged About 32 Years R/o Jai Stambh Chowk, Purani Basti, Sitapur, Post And Tahsil Sitapur, District Surguja, (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through Its Secretary, Department Of School Education, Mahanadi Bhawan, Mantralaya, Police Station Rakhi, New Raipur, District Raipur, (Chhattisgarh)
2. Director, Directorate Of Public Education, Indravati Bhawan, Raipur, (Chhattisgarh)
3. Collector, Office Of Collectorate, Ambikapur, Dist. Surguja, (Chhattisgarh)
4. District Education Officer, Office Of District Education Officer, Ambikapur, District Surguja, (Chhattisgarh)
5. Block Education Officer, Office Of Block Education Officer In Front Of Civil Court, Sitapur, District Surguja, (Chhattisgarh)
6. Assistant Block Education Officer, Office Of Block Education Officer, In Front Of Civil Court, Sitapur, District Surguja, (Chhattisgarh)
7. Principal, Govt. Girls Higher Secondary School, Sitapur, District Surguja, (Chhattisgarh)

---- Respondent

For Petitioners	:	Shri Abhishek Pandey, Advocate
For Respondents/State	:	Shri Ramakant Pandey, Govt. Advocate

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

22/02/2016

Heard.

2. By this petition, the petitioner has challenged the rationalization of schools by the respondent authorities in implementation of the State's policy of rationalization, merger and de-merger.
3. Though, number of grounds urged in the petition to challenge the rationalization, upon being enquired as to how the petitioners suffered legal injury, learned counsel for petitioners submits that because of rationalization and re-organization of schools, the petitioners have been transferred to different schools at a distance of 10-15 KM. He submits that one of the petitioner is aged 61 years and at the verge of her retirement.
4. The only effect of impugned action is that the petitioners have been posted in schools which are at a distance of 10-15 Kilometers only.
5. Considering this aspect of the matter and also that no legal injury has been caused to the petitioners as such, I am not inclined to invoke discretionary jurisdiction under Article 226 of the Constitution of India to examine alleged irregularity.
6. However, considering that petitioner No.1 is going to retire soon, she may prefer representation to the authorities to continue at the present place of posting, if it is possible, subject to administrative exigency and public interest. If she makes representation before the respondent authority, the same shall be considered and decided by the respondent No.4 within a period of two weeks from the date of receipt of a copy of this order along with representation.
7. Subject to aforesaid direction, no other relief can be granted.
8. Accordingly, the petition is finally disposed off.

Sd/-

Manindra Mohan Shrivastava
Judge