

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 5197 of 2017

Anita Rai W/o Shri Rajesh Kumar Rai Aged About 45 Years Occupation- Service, Working As Lecturer, Government High School, Jarhabhata, Bilaspur, R/o E-28, Parijat Extension, Bilaspur, District Bilaspur, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of School Education, Mahanadi Bhawan, New Mantralaya, New Raipur, Chhattisgarh.
2. The Director, Public Instructions, Indrawati Bhawan, Raipur, Chhattisgarh.
3. The Commissioner, Municipal Corporation, Bilaspur, Chhattisgarh.
4. The District Education Officer, Bilaspur, Chhattisgarh.
5. The Principal, Government High School, Jarhabhata, Sindhi Colony, Bilaspur, Chhattisgarh.
6. Smt. Arti Rai, Through Principal, Government High School, Jarhabhata, Bilaspur, Chhattisgarh.

---- Respondents

For Petitioner	:	Shri Ali Asgar, Advocate
For State	:	Shri Chandresh Shrivastava, Panel Lawyer
For Respondent No.3	:	Shri B.L. Sahu, Advocate appears under instructions from Shri A.S. Kachhawaha, Advocate

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

04/10/2017

Heard.

1. By this petition, the petitioner has challenged order dated 22.9.2017 passed by the District Education Officer, Bilaspur by which respondent No.6 has been transferred to her place as also order dated 23.9.2017 passed by the Principal in compliance of the order of the District Education Officer, relieving the petitioner for joining to her original school. The order is under challenge on the ground that this cannot be done by the District Education Officer, Bilaspur.

2. Learned counsel for the petitioner does not dispute that the transfer order dated 14.8.2017 passed by the State Govt. posting respondent No.6 is not under challenge. That means that as per order of the Govt., respondent No.6 is required to be posted in Govt. High School Jarhabhata. However, the petitioner's posting order has not been issued by the Corporation/respondent No.3, but by the District Education Officer.
3. Considering the aforesaid circumstances and particularly taking into consideration that it is only a case where petitioner will have to be posted in school at Chantidih wherefrom she had come to the school at Jarhabhata, it is directed that the Corporation/respondent No.3 shall pass necessary orders in compliance of the order dated 14.8.2017 passed by the State Govt. within a period of 10 days and for a period of 10 days, the petitioner shall not be relieved from the present place.
4. The petition is accordingly finally disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge