

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 5201 of 2017

- Smt. Akhtari Khan D/o Late Abdul Rasheed Khan Aged About 53 Years Working As Head Master At - Government Girls Higher Secondary School Beejapur, Block & District Beejapur, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh, Through Its Secretary, Department of School Education, Mantralaya, Mahanadi Bhawan Naya Raipur, Chhattisgarh
2. The Collector, O/O the Collector (Education) District Beejapur Chhattisgarh
3. The District Education Officer, Beejapur District Beejapur Chhattisgarh .
4. The Principal, Government Girls Higher Secondary School, Beejapur, Block & District Beejapur, Chhattisgarh
5. Shri Brijlal Pujari, Head Master, at - Government Girls Higher Secondary School Beejapur District Beejapur Chhattisgarh

---- Respondents

For Petitioner
For Respondent-State
For Respondent No.5

Shri R. K. Kesharwani, Advocate
Shri Ashutosh Pandey, PL
Ms. Shailja Shukla, Advocate

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

14/11/2017

1. Challenge in this petition is to the order dated 20.09.2017, whereby the respondent No.5 has been posted at Govt. Girls Higher Secondary School, Bijapur in place of the petitioner.

2. The ground raised by the petitioner is that the impugned order has been passed ignoring the seniority of the petitioner and despite the fact that the petitioner is a widow lady, the respondent No.5 has been posted in place of the petitioner.
3. Considering the facts situation of the case, it would be appropriate to allow the petitioner to prefer a representation before the concerned competent authority raising her grievance against the impugned transfer order.
4. Let the petitioner prefer representation within a period of 4 weeks from today and thereafter, the concerned competent authority shall consider and decide the same expeditiously, in accordance with law and on its own merits.
5. Till the representation is decided, the interim order passed by this Court on 04.10.2017 shall continue.
6. The writ petition is accordingly disposed of.
7. It is made clear that this Court has not expressed any opinion on the merits of the case and the respondent authorities shall decide the matter, on its own merits, strictly in accordance with law, without treating any observation made in this order, as opinion on the merits of the case.

Sd/-

Judge

Prashant Kumar Mishra