

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 353 of 2017

Smt. Asha Subodh W/o Shri Lakhan Subodh, Aged About 58 Years Upper Division Teacher, Govt. School Korbi, Block Belha, Dist. Bilaspur (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary Department Of School Education, Mahanadi Bhawan, New Raipur (Chhattisgarh)
2. The Collector, Bilaspur (Chhattisgarh)
3. District Education Officer, Bilaspur (Chhattisgarh)
4. The Principal Govt. Higher Secondary School, Deorikhurd, Bilaspur (Chhattisgarh)
5. Smt. Seema Kesri W/o Gulbahar Kesri, Upper Division Teacher, Govt. Higher Secondary School Deorikhurd, Bilaspur (Chhattisgarh)

---- Respondents

Shri Praveen Das, counsel for the petitioner/s.
Shri D.R.Minj, Dy.G.A. for the State.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

20/01/2017

Transfer order dated 28/07/2016 is under challenge on the ground that the petitioner was transferred on certain complaints which were found not proved after preliminary enquiry held by the Principal of the school on the instructions of the District Education Officer. It is submitted that the petitioner made several representations but no heed was paid to. It is also submitted that the petitioner has complied with the transfer order and joined at the transferred place. The petitioner has filed this petition apprehending reason for transfer being a complaint against her regarding harassment against a student.

The transfer order was passed way back on 28/07/2016 but the petitioner challenged the order after almost six months. The transfer order does not say

that the petitioner has been transferred on any complaint but shows only administrative exigency. If the enquiry conducted by the Principal has ended in favour of the petitioner, there should be no apprehension in the mind of the petitioner that the transfer will have adverse effect in her service career.

At this distance of time, I am not inclined to interfere with the transfer order. If any adverse action is taken against the petitioner on the basis of complaints, either by way of disciplinary action or otherwise, it will always be open for the petitioner to take recourse to remedy as may be available to her under the law.

With the said observation, the petition is finally disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge