

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 6876 of 2017

Dilpreet Kour Bedi D/o S. P. Singh Bedi, Aged About 31 Years Occupation Shahayak Shishak Panchayat Grade I I I , Govt. Primary School Bhadrpara, Dhaniya, Block Masturi, District Bilaspur, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Panchayat And Rural Development Department, Mahanadi Bhawan, Mantralaya, Naya Raipur, District Raipur, Chhattisgarh.
2. Director, Public Instructions, Indrawati Bhawan, Mantralaya, District Raipur, Chhattisgarh.
3. The Collector, Bilaspur, District Bilaspur, Chhattisgarh.
4. Chief Executive Officer, Jila Panchayat, Bilaspur, District Bilaspur, Chhattisgarh.
5. Chief Executive Officer, Janpad Panchayat, Masturi, District Bilaspur, Chhattisgarh.
6. District Education Officer, Bilaspur, District Bilaspur, Chhattisgarh.
7. Block Education Officer, Block Masturi, District Bilaspur, Chhattisgarh.

---- Respondents

For Petitioner	:	Shri Ajay Kumar Dwivedi, Advocate
For State	:	Shri Manish Nigam, Panel Lawyer

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

Order On Board

05/01/2018

1. Challenge in this petition is to the order dated 10.11.2017 by which the petitioner has been transferred from Govt. Primary School Bhadrpara, Dhaniya, Block-Masturi, District Bilaspur (C.G.) to Govt. Primary School

Chilhati, Masturi on the ground of administrative exigency.

2. The ground raised by the petitioner is that there are 63 students admitted in the school which comes within the limit of 61-90, therefore, 3 Teachers are required in the school and in that situation, there are only 3 Teachers in the school including the petitioner. Therefore, the petitioner is not excess Teacher in the school.
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 10 days from today and thereafter, the concerned competent authority shall consider and decide the same within the next 20 days, in accordance with law and on its own merits.
5. For a period of 30 days or till the representation is decided, whichever is earlier, the status quo, as it exists today, in respect of the petitioner's posting, shall be maintained.
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/-
(Manindra Mohan Shrivastava)
Judge