

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****Writ Petition (S) No. 2485 of 2018**

Ku. Raeesa Siddiqui W/o Ram Narayan Dwedi, aged about 50 years, presently posted as Assistant Teacher at Government Primary Balak Ashram School Sipat Road Bilaspur, R/o Jarhabhata, Bilaspur, District Bilaspur, Chhattisgarh

---- Petitioner**Versus**

1. State of Chhattisgarh through its Secretary School Education Department, Mantralaya, Mahanadi Bhawan, Naya Raipur, Chhattisgarh
2. Commissioner, Tribal Welfare Department, Mahanadi Bhawan, Naya Raipur, Chhattisgarh
3. District Education Officer , Bilaspur, District Bilaspur, Chhattisgarh
4. Block Education Officer, Bilha District Bilaspur Chhattisgarh

---- Respondents**Writ Petition (S) No. 2483 of 2018**

Smt. Rekha Dwedi W/o Ram Narayan Dwedi, aged about 58 years, presently posted as Head Master, at Government Primary Balak Ashram School Sipat Road, Bilaspur, R/o Ward No. 30, Kilaward, Juna Bilaspur District- Bilaspur, Chhattisgarh

---- Petitioner**Versus**

1. State of Chhattisgarh through its Secretary School Education Department, Mantralaya, Mahanadi Bhawan, Naya Raipur, Chhattisgarh
2. Commissioner, Tribal Welfare Department, Mahanadi Bhawan, Naya Raipur, Chhattisgarh
3. District Education Officer , Bilaspur, District Bilaspur, Chhattisgarh
4. Block Education Officer, Bilha District Bilaspur Chhattisgarh

---- Respondents

For Petitioners : Shri Mateen Siddiqui, Advocate
 For Respondent/State: Shri Dheeraj Kumar Wankhede, Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy
Order On Board

27/03/2018

These are two writ petitions filed by the petitioners challenging the order of transfer dated 24.01.2018. The reason assigned in the impugned order for initiating transfer was the school where the petitioners were discharging duties has since been closed.

2. There was a doubt created by the petitioners that the school was in operational yet the respondents showed the school to be closed. Subsequently, now an affidavit has been filed by the District Education Officer, Bilaspur so also by the Superintendent of Anusuchit Jati, Balak Asram, Seepat Road, Bilaspur, both of whom have stated that the school had already been decided to be closed way back in the year 2016 itself, as a result of which, now an order of transfer has been effected to the petitioners.

3. Given the aforesaid fact that the State Government has decided to close the school itself, the petitioners cannot claim the relief for permitting them to remain at the place where the school stands closed. Thus, the writ petition in its present form does not have any strength to assail the impugned action of transfer.

4. However, counsel for the petitioners, at this juncture, submits that the grievance of the petitioners is that they are middle aged lady teachers and they have been posted far away from Bilaspur, therefore, they may be permitted to make a representation to respondent no.1, Secretary of the School Education Department for ventilating their grievance who in turn may be directed to consider and decide their representation keeping in view the fact that they are middle aged lady teachers.

5. State counsel does not oppose to the same.

6. Let the petitioners make a representation to respondent no.1 within a period of one week from today and the authority concerned shall decide the same as expeditiously as possible preferably within a period of 45 days in case the representation is made within 7 days from today.
7. Accordingly, both the petitions stand disposed of.

Sd/-
(P. Sam Koshy)
JUDGE