

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 3523 of 2017**

Smt. Jyoti Kiran Patel W/o Shri Rajesh Patel, Aged About 29 Years Working As
Teacher Panchayat, At Government Middle School, Kena, Block Saraipali, District
Mahasamund Chhattisgarh, Chhattisgarh **---- Petitioner**

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Panchayat, Mantralaya,
Mahanadi Bhawan, Naya Raipur, District Raipur Chhattisgarh, Chhattisgarh
2. Chief Executive Officer, Zila Panchayat, Mahasamund, District Mahasamund,
Chhattisgarh., District : Mahasamund, Chhattisgarh **....Respondents**

For Petitioner	:	Mr. Ajay Shrivastava, Advocate
For State	:	Mr. Prasun Bhaduri, G.A.
For respondent No.2	:	Mr. Shashank Thakur, Advocate

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****25.01.2018**

Heard.

1. The petitioner has challenged the transfer order dated 04.07.2017 mainly on the ground that within two months of petitioner's posting and joining upon promotion, she has been transferred at the stage of advance pregnancy. Notices were issued and interim protection was granted to the petitioner.

Mr. Shashank Thakur, Advocate appearing for respondent No.2, raises an objection with regard to maintainability of the petition by submitting that the order impugned could be challenged by filing an appeal before the competent authority as provided under the Chhattisgarh Panchayats (Appeal and Revision) Rules, 1995.

2. The order cannot be said to be without jurisdiction. It is a transfer order. The petitioner has certain grievance which were taken note of and interim order was passed.

3. However, considering that it is a matter of transfer and the petitioner has an alternative remedy of filing an appeal, I am inclined to dispose off the matter with liberty to the petitioner to file an appeal under the Chhattisgarh Panchayats (Appeal and Revision) Rules, 1995. For a period of three weeks, the petitioner shall not be disturbed.

4. With the aforesaid liberty, the petition is disposed off.

Sd/-

(Manindra Mohan Shrivastava)
Judge