

HIGH COURT OF CHHATTISGARH, BILASPUR**WRIT PETITION (S) NO. 5825 OF 2018**

1. Fabiyanus Tirkey, S/o Late Stephan Tirkey Aged About 38 Years Working As Train Graduate Teacher (English) Attached At Govt. Middle School Sonbarsa, Block Kharsiya, District Raigarh Chhattisgarh.

...Petitioner(s)**Versus**

1. State of Chhattisgarh Through Secretary, Department Of Tribal Welfare And Development, Mahanadi Bhawan, Mantralaya New Raipur, District Raipur Chhattisgarh.
2. Assistant Commissioner Tribal Department Raigarh, District Raigarh Chhattisgarh.
3. Collector (Tribal Development Department) Raigarh, District Raigarh Chhattisgarh.

... Respondent(s)

For Petitioner	:	Shri Ajay Shrivastava, Advocate.
For Respondent-State	:	Shri RK Gupta, Dy. Advocate General.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****06.09.2018**

1. The relief sought for by the petitioner is for a direction to the respondents to consider the claim of the petitioner for cancellation of the order of attachment dated 05.10.2016.
2. According to the petitioner she is substantially a Teacher in the Aklavya Adarsh Residential School, Chhote Mudpar, Block Kharsia, District Raigarh. Vide order dated 05.10.2016 she has been attached to the Govt. Middle School, Sonbarsa, Block Kharsia, District Raigarh.
3. Counsel for the petitioner referring to the circular of the State dated 04.06.2001 submits that attachment have been banned and where the attachment was made, the same were ordered to be suitably

recalled. The petitioner herein also has made representation in this regard to the authorities but till date they have not decided the same.

4. Given the aforesaid facts, this court does not intend to keep this petition pending. Let an appropriate decision be taken by the respondent No.3 in case of the petitioner so far as cancellation of attachment is concerned particularly taking into consideration the circular of the State dated 04.06.2001 which is still in force. Let this exercise be done within a period of 90 days from today.
5. Accordingly, the writ petition stands disposed of.

Sd/-
(P.Sam Koshy)
Judge