

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

COCP 1289/2018

Date of decision:26.04.2018.

Rajbala

.....Petitioner

v.

Suresh Kumar and another

.....Respondents

Coram: Hon'ble Mr.Justice Jaswant Singh

Present:- Mrs.Pratibha Yadav,Advocate for the petitioner.

Jaswant Singh,J,(Oral).

Petitioner is stated to be promoted to the post of Lecturer/PGT Maths w.e.f. 21.6.2016 and posted at Government Girls Senior Secondary School, Bawal, District Rewari. However, on promotion she was transferred to the post of TGT Maths at Govt.High School, Lisan District Rewari. Since the petitioner was aggrieved against her transfer and also the possibility of being shown as surplus as a TGT Teacher, she filed CWP 18870/2017 wherein on 23.8.2017 the following order was passed:-

“In the meanwhile, the petitioner be not relieved
from the Government Girls Senior Secondary School,
Bawal, District Rewari.”

The said writ petition is now stated to be listed for hearing on 5.9.2018.

In the present contempt it is alleged that aforesaid interim order dated 23.8.2017 has been violated by passing of the memo dated 23.4.2018

(P/7) issued by District Education Officer, Rewari.

Learned counsel contends that by passing memo dated 23.4.2018 by DEO Rewari she has been now transferred to Government Senior Secondary School Suma Khera, District Rewari.

After scrutinising the arguments of the counsel for the petitioner and orders including impugned order P/7, this Court finds that no occasion has arisen for invoking the contempt jurisdiction.

Grievance of the petitioner raised in CWP 18870/2017 concededly is that the petitioner inspite of being a PGT Math teacher was being transferred and posted as a TGT Teacher and hence the restraining orders were passed.

In the memo dated 23.4.2018(P/7) the petitioner is shown as PGT Teacher and by way of an internal arrangement ordered to be working at Government Girls Secondary School, Suma Khera, District Rewari keeping in view the interest of the students.

To a pointed query it is conceded that such kind of internal arrangements are made and are necessary in the light of strength of the students fluctuating. Therefore, this Court finds no ground to invoke contempt jurisdiction. However, the petitioner is free to seek her appropriate remedy by filing either a miscellaneous application in the pending writ petition or otherwise.

Dismissed.

26.04.2018
joshi

(Jaswant Singh)
Judge

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No