

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 771 of 2019**

Poonam Kujur D/o Ignatius Kujur, Aged About 33 Years, Posted As Assistant Teacher (Panchayat) At Government Girls Higher Secondary School Balrampur, R/o Ward No.11, Patpariya Ambikapur , District Surguja, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, School Education Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, Raipur, District Raipur, Chhattisgarh
 2. Collector Balrampur- Ramanujganj, Chhattisgarh
 3. District Education Officer, District Balrampur- Ramanujganj Chhattisgarh
 4. Chief Executive Officer, Zila Panchayat Balrampur, District Balrampur- Ramanujganj, Chhattisgarh
 5. Chief Executive Officer, Janpad Panchayat Balrampur, District Balrampur- Ramanujganj, Chhattisgarh
 6. Block Education Officer, Janpad Panchayat Balrampur, District Balrampur Ramanujganj Chhattisgar
- Respondents**

For Petitioner	:	Ms. Hamida Siddiqui, Advocate.
For State	:	Mr. Arvind Dubey, P.L.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****06.02.2019**

1. The challenge in the present writ petition is to the order dated 07.01.2019 Annexure P-1 whereby respondent no.4 has transferred the petitioner from Government Higher Secondary School, Balrampur, District Balrampur-Ramanujganj to Government Higher Secondary

School, Rajpur, district Balrampur-Ramanujganj.

2. Counsel for the petitioner submits that the impugned order reflects that the order of transfer has been made at request/application of the petitioner whereas the petitioner has not made any such application or oral request for transferring her at the present place of posting.
3. Given the said statement made by the petitioner, let respondent no.4 reconsider the case of the petitioner on a representation which the petitioner shall file within a period of 7 days from today in addition to the representation, if any she has already made. Let respondent no.4 scrutinize the case of the petitioner once again taking into consideration the specific averment made by the petitioner that she has not made any request nor has she made any application for transferring her at the present place of posting. Let respondent no.4 take a decision at the earliest preferably within a period of 60 days from the date of receipt of the representation of the petitioner.
4. Meanwhile, considering the specific averment that the petitioner has made of not having made either oral request or a written request for transferring her, this Court is of the opinion that a strong case for grant of interim relief has been made out.
5. Accordingly, there shall be stay of the effect and operation of the impugned order till the representation of the petitioner is decided by respondent no.4.
6. With the aforesaid direction the writ petition stands disposed of.

Sd/-
P. Sam Koshy
Judge