

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 3529 of 2019**

Smt. Baby Patel W/o Kapileshwar Patel Aged About 43 Years Teacher
(Panchayat) R/o Shivam Electricals, Agharia Sadan Complex, Kotra
Road, Raigarh Chhattisgarh., District : Raigarh, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Panchayat And Rural Development, Mahanadi Mantralaya, Atal Nagar, Post Office And Police Station Atal Nagar, District Raipur Chhattisgarh, District : Raipur, Chhattisgarh
2. Director Directorate Of Panchayat, Indrawati Bhavan, Atal Nagar, Post Office And Police Station Atal Nagar, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
3. Collector Raigarh, District Raigarh Chhattisgarh., District : Raigarh, Chhattisgarh
4. Chief Executive Officer Zila Panchayat, Raigarh, Dist. Raigarh Chhattisgarh., District : Raigarh, Chhattisgarh
5. Chief Executive Officer Zila Panchayat, Jashpur, Dist. Jashpur Chhattisgarh, District : Jashpur, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Dhaniram Patel, Advocate
For State	:	Mr. Ishan Verma, PL

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

09/05/2019

1. The grievance of the petitioner in the present writ petition is that respondents are not permitting joining to the petitioner pursuant to the order dated 02/02/2018.
2. Facts of the case is that the petitioner initially was working as Teacher Panchayat at Jashpur. On the request of petitioner along

with Smt. Manju Kujur there was a mutual transfer made on request who was working in the Middle School, Raikona Block Jashpur being transferred to Middle School Salka Block Dharamjaigarh District Raigarh.

3. Pursuant to the order of mutual transfer the petitioner is said to have reported for duty before the office of the Jila Panchayat, Raigarh on 05/02/2018 and thereafter it is said that the petitioner is proceeded on medical leave without any intimation, sanction or approval from the authorities in the department. Subsequently on recovery from illness, the petitioner is said to have reported for duty on 04/09/2018 at the Middle School, Dharamjaigarh but on account of delay in giving joining she was not permitted to join her duties and for which the petitioner had made a request to the respondent No. 4 vide Annexure (P-5) on 06/09/2018 which till date is pending consideration.
4. Counsel for the petitioner submits that today the petitioner is recovered from illness and she is ready to give her joining at Middle School, Salka Block Dharamjaigarh District Raigarh.
5. Given the aforesaid submissions that the petitioner has made let the respondent No. 4 take an early decision in the case of the petitioner so far as grant of joining is concerned. It is made clear that the intervening period the respondents would be free to take an appropriate decision on the administrative side in accordance with the rules governing the service conditions. While considering the case of the petitioner, respondent No. 4 shall also consider the correspondences made by respondent No. 2, Director, Panchayat dated 09/04/2016 addressed to the respondent No. 4. Authorities would also decide as to how the intervening period has to be treated

and what benefits the petitioner would be entitled for including the salary part.

6. Let appropriate decision be taken at the earliest preferably within a period of four months from the date of receipt of copy of this order.
7. With the aforesaid directions the writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge

Rohit