

HIGH COURT OF CHHATTISGARH, BILASPUR**WRIT PETITION (S) NO.3685 OF 2019**

Smt. Bharti Rajak W/o Ashok Rajak, Aged About 40 Years Working As Vayakyata (Panchayat) In Government High School, Job Block Churiya, District - Rajnandgaon Chhattisgarh, R/o Deewan Para, Rajnandgaon District Rajnandgaon Chhattisgarh.

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

1. State Of Chhattisgarh Through Its Secretary, Department Of Rural Development, Mantralaya, Mahanadi Bhavan Raipur Chhattisgarh.
2. The Chief Executive Officer, Jilla Panchayat Rajnandgaon District - Rajnandgaon Chhattisgarh.
3. The District Education Officer, Rajnandgaon Chhattisgarh.
4. The Collector Rajnandgaon Chhattisgarh.

... Respondent(s)

For Petitioner	:	Shri Rakesh Thakur, Advocate.
For Respondent-State	:	Shri Ishan Verma, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****14.05.2019**

1. Challenge in this petition is to the order dated 25.04.2019 wherein the District Education Officer, Rajnandgaon, has passed an order for cancellation of all orders of attachment of different Teachers under the respondent No.3 and as a consequence the petitioner who was attached and serving at Govt. Higher Secondary School, Dhourabhata, Block Dongargaon, has been asked to go to her substantive place of posting i.e. Govt. High School Job, Block Chhuriya, District Rajnandgaon.
2. The counsel for the petitioner submits that the petitioner was attached to the School at Dhourabhata on account of certain complaint that were made against the petitioner while she was posted at High School Job. He further submits that in case if the petitioner is now sent back again to the same school, there is all possibility that she can again be falsely implicated in some other case.

3. Perusal of record would show that the petitioner substantively is a Lecturer (Panchayat) appointed and posted at Govt. High School Job, Block Chhuriya. Discharging her duties at the said place, the services of the petitioner was attached to the Higher Secondary School Dhourabhata, Block Dongargaon. Though she was posted on attachment, but she remained substantively posted at High School Job, Block Chhuriya. In case if the respondent authorities have passed an order cancelling the attachment, the petitioner does not have any indefeasible legal right to continue at the place of attachment particularly when the order of attachment has been cancelled. If at all if the petitioner finds it difficult to discharge her duties smoothly at Govt. High School, Job and wants a different place of posting, the change of posting can be sought for only from the respondents and for which the petitioner would have to move an appropriate representation in this regard.
4. The counsel for the petitioner submits that the petitioner has already moved a representation in this regard on 27.04.2019.
5. Given the said facts and circumstances of the case, this court is of the opinion that ends of justice would meet if the writ petition is disposed of with a direction to the respondent No.2 to consider and decide the representation of the petitioner so far as her grievances are concerned at the earliest.
6. Accordingly, the writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge