

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 6601 of 2019**

M.L. Patel S/o Late Phadul Ram Aged About 54 Years Occupation Service, Posted As Block Education Officer At Kota, Block Kota, District Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Principal Secretary School Education Department, Mahanadi Bhawan, New Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
2. The District Education Officer Bilaspur, District Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh
3. Vijay Tande Principal, Presently Posted As Assistant District Project Officer Janjgir, District Janjgir Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh
4. Dr. Patibha Mandloi Principal, Presently Posted As Block Education Officer, Mungeli, District Mungeli, Chhattisgarh., District : Mungeli, Chhattisgarh

---- Respondents

WPS No. 6610 of 2019

Dr. (Smt.) Pratibha Mandloi W/o Dr. B.L. Mandloi Aged About 52 Years Occupation Service, Presently Posted As Block Education Officer, Mungeli, District Mungeli Chhattisgarh, District : Mungeli, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of School Education, Mahanadi Mantralaya, Naya Raipur, Atal Nagar, Post Office And Police Station Naya Raipur, Atal Nagar, District Raipur Chhattisgarh, District : Raipur, Chhattisgarh
2. Director Directorate Of Public Instructions, Indrawati Bawan, Naya Raipur, Atal Nagar, Post Office And Police Station Naya Raipur, Atal Nagar, District Raipur Chhattisgarh, District : Raipur, Chhattisgarh
3. Joint Director (Education) Education Division, Bilaspur, Chhattisgarh, District : Bilaspur, Chhattisgarh

4. District Education Officer Mungeli Chhattisgarh, District : Mungeli, Chhattisgarh
5. Jitendra Kumar Baware Assistant Statistical Officer, Office Of The District Education Officer, Janjgir-Champa Chhattisgarh, District : Janjgir-Champa, Chhattisgarh
6. Vijay Tande Assistant District Project Officer, Janjgir, District Janjgir-Champa Chhattisgarh, District : Janjgir-Champa, Chhattisgarh
7. M.L. Patel Block Education Officer, Kota, District Bilaspur Chhattisgarh, Chhattisgarh

---- Respondents

For Petitioners	:	Mr. Rakesh Pandey & Mr. Rajeev Shrivastava, Advocates
For State	:	Ms. Sunita Jain, GA

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

28/08/2019

1. Since the impugned order involved in the both the present writ petitions is same and grievance of the both the petitioners also being same, the two writ petitions are being disposed off by this Common order.
2. The challenge in both these writ petitions is to the order of transfer dated 22.08.2019 whereby the two petitioners i.e. Shri M. L. Saket transferred from Kota, District Bilaspur to Kargikala, District Bilaspur and Dr. Pratibha Mandloi has been transferred from Mungeli, District Mungeli to Kargikala, Block Kota, District Bilaspur.
3. The contention of the petitioners is that both are being sent at the same place and in the same capacity as such there would be administrative difficulty so far as assuming charge and discharging duties are concerned. Both the petitioners have further contended

that they have been only recently transferred in as much as the petitioner Mr. M. L. Patel was transferred on 04.10.2018 by the State Government from Bilha to Kota under District Bilaspur and he only relieved and joined the post of Kota on 08.09.2018. Having assumed the charge in less than one year's time, the impugned order has now been passed. Likewise, the petitioner Smt. Pratibha Mandloi also was transferred on 04.10.2018 from Kota, District Bilaspur to Mungeli, District Mungeli and petitioner was relieved and joined on 09.01.2019 and thus in less than 8 month's time the petitioner Smt. Pratibha Mandloi again being transferred now vide the impugned order.

4. Given the aforementioned facts and circumstances, let both the petitioners approach the respondent No. 1 by way of representation to be made within a period of two weeks from the date of receipt of copy of this order. The respondent No. 1 in turn shall consider the same within a period of 45 days.
5. Till the representation of both the petitioners is decided, there shall be stay of the effect and operation of the impugned order so far as both the petitioners are concerned.
6. With the aforesaid observation, the writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge