

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No. 7400 of 2019

Dr. (Smt.) Sangeeta Neelima Lader W/o Shri A.P. Lader Aged About 60 Years Presently Posted As Assistant Professor At Government J.M.P. College, Takhatpur, District Bilaspur Chhattisgarh.

---- Petitioner(s)

Versus

1. State of Chhattisgarh Through Its Secretary, Department of Higher Education, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur Chhattisgarh.
2. Under Secretary Department of Higher Education, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur Chhattisgarh.
3. Principal Government J.M.P. College, Takhatpur, District Bilaspur Chhattisgarh.
4. M.R. Jangde Presently Posted as Assistant Professor at Government Gundadhur College, Kondagaon, District Kondagaon Chhattisgarh.

---Respondents

For Petitioner	:	Shri Ashutosh Shukla, Advocate.
For State	:	Shri Jitendra Pali, Dy. Advocate General.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

13.09.2019

1. Challenge in the present Writ Petition is to the order of transfer dated 21.08.2019 whereby the petitioner has been transferred from Govt. JMP College, Takhatpur to Govt. Gundadhur College, Kondagaon.
2. The contention of the petitioner is that, she is more than 60 years of age and as per the transfer policy, the persons who have crossed 55 years of age should not be sent to a core scheduled area. The petitioner, apart from being a lady, is also more than 60 years of age and therefore under the transfer policy itself the petitioner could not have been transferred to a core scheduled area. The second ground is that, the person who is said to be relieving the petitioner i.e. respondent No.4, his name appear in the impugned order at two places. One at serial No.32 where the respondent No.4 has been shown to be transferred at the present place where the petitioner is presently working and another at serial No.99 where the

respondent No.4 has been show to be transferred from Govt. Gundadhur PG College, Kondagaon to Govt. Naveen College, Farasgaon.

3. Given the aforesaid facts, let the petitioner make a detailed representation in this regard to the respondents within a period of 10 day from today, who in turn, shall consider and decide the same at the earliest preferably within a further period of 45 days.
4. Till the representation of the petitioner is decided, the effect and operation of the impugned order shall remain stayed so far as petitioner is concerned.
5. The writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

inder