

NAFR

**HIGH COURT OF CHHATTISGARH AT BILASPUR****WPS No. 7697 of 2019**

Prem Lata Sharma D/o Shri Ajay Sharma Aged About 48 Years Presently  
Posted And Working As Lecturer (L.B.) (English), Government High  
School Ruda, District Durg Chhattisgarh., District : Durg, Chhattisgarh

**---- Petitioner****Versus**

1. State Of Chhattisgarh Through The Secretary, School Education  
Department, Mantralaya, Mahanadi Bhawan, Atal Nagar Nawa Raipur,  
Raipur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. Director Public Instruction, Indrawati Bhawan, Atal Nagar Nawa Raipur,  
District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
3. District Education Officer Durg, District Chhattisgarh., District : Durg,  
Chhattisgarh
4. Principal Government Higher Secondary School, Ruda, District Durg  
Chhattisgarh., District : Durg, Chhattisgarh

**---- Respondents**

|                |   |                               |
|----------------|---|-------------------------------|
| For Petitioner | : | Mr. Shashank Thakur, Advocate |
| For State      | : | Mr. P. Acharya, PL            |

**Hon'ble Shri Justice P. Sam Koshy****Order on Board****18/09/2019**

1. The challenge in the present Writ Petition is to the order [Annexure P/1 dated 31.08.2019](#) whereby the respondent No. 3 has canceled the joining given by the petitioner at Government High School, Ruda Block and District Durg.
2. According to the petitioner he is substantively a teacher in the 'E' Cadre and he has been treated to be a teacher in 'T' Cadre. The joining of the petitioner seems to have been canceled which is perse illegal.

3. Given the aforesaid facts and circumstances, particularly, taking note of the fact that petitioner has already has been given joining at Government High School, Ruda District Durg vide its transfer order dated 22.08.2019, prima facie, the impugned order seems to be bad in law. Accordingly, let petitioner make a fresh representation to the respondent No. 2 & 3 who in turn shall consider the entire facts and circumstances of the case particularly the fact that petitioner substantively is a teacher in the E Cadre and take an appropriate decision preferably within a further period of 45 days from the date of receipt of copy of this order and the respondents would also have the liberty to correct any error which has crept in.
4. Till the decision is taken on the representation of the petitioner, there shall be stay of the effect and operation of the impugned order Annexure P-1 dated 31.08.2019 and the petitioner would be permitted to continue discharging his duties at the Government High School, Ruda, District Durg.
5. With the aforesaid observations, the writ petition stands disposed of.

Sd/-  
**(P. Sam Koshy)**  
**Judge**