

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 8329 of 2019**

Smt. Sangita Singh (Before Marriage Ku. Sangita Singh Jangde) W/o
 Parath Singh Aged About 43 Years Working As Lecturer (L.B.) And
 Posted At Govt. Higher Secondary School Dashrangpur, Block Mungeli,
 District Mungeli Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary Department Of School
 Education Mahanadi Bhawan Mantralaya New Raipur, District Raipur
 Chhattisgarh
2. Collector Mungeli District Mungeli Chhattisgarh
3. District Education Officer Mungeli, District Mungeli Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Ajay Shrivastava, Advocate
For State	:	Mr. Jitendra Pali, Dy. A.G.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****04/10/2019**

1. The challenge in the present writ petition is to the order of attachment dated 20.09.2019 attaching the petitioner from Govt. Higher Secondary School Dashrangpur Block Mungeli, District Mungeli to Nagar Palika Higher Secondary School Mungeli, District Mungeli.
2. At the outset, it appears that the order impugned is order of attachment which is per se contrary to the order of the State Government Annexure P-2 dated 04.06.2001 which prohibits any sort of attachment of Government servant. Second ground of the petitioner is that it reflects that the place where the petitioner is being sent the number of students is less as compared to the present place where she is working. It is also a case

where the petitioner is being sent, there are almost four subject teachers available in the said school, whereas at the present place of posting, where petitioner is teaching there are only two sanctioned post and teachers who are available and hence Prima facie there does not seem any administrative ground available. Thirdly, if at all if the petitioner need to be transferred it could have been done when the ban period was lifted by the State Government permitting the Collector to carry out intra District transfer. In the instant case the transfer has been made much after the ban was reinforced by the State Government.

3. Given the aforesaid facts, let petitioner make a representation to the respondent No.2 highlighting all these facts within a period of 10 days from the date of receipt of copy of this order and respondent No.2 shall take a decision on the representation of the petitioner within a 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 the petitioner is concerned.
5. The present Writ Petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

Rohit