

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 8482 of 2019**

- Smt. Nita Janghel W/o Shri Arun Kumar Janghel, Aged About 45 Years Posted As Lecturer (LB) At Government H.S. School, Musra, District Rajnandgaon Chhattisgarh

---- Petitioner**Versus**

1. State of Chhattisgarh Through Secretary, Department Of School Education, Mahanadi Bhawan, Atal Nagar, Raipur (Chhattisgarh)
2. Collector, District Rajnandgaon
3. District Education Officer, Rajnandgaon District Rajnandgaon Chhattisgarh
4. Principal, Government H.S. School, Musra, District Rajnandgaon Chhattisgarh

---- Respondents

For Petitioner : Shri Yogendra Chaturvedi, Advocate

For Respondents/State : Shri Avinash Singh, PL

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****16/10/2019**

1. Heard.
2. The grievance of the petitioner is that the petitioner has been working in the Government H.S. School, Musra, Block Dongargarh, District Rajnandgaon she has been transferred to Government H.S. School, Chircharikala, Block Churiya, District Rajnandgaon and the reason of transfer is shown as voluntary.
3. It is contended that the petitioner was never voluntary for transfer to that place instead mutual exchange transfer was prayed for with Gaya Prasad Lilhare as the petitioner prays to be transferred where the husband resides i.e. the

Government High School, Rampur, Block Churiya. It is further submitted that as per the policy of the State normally the husband & wife are kept in the same place, therefore, the transfer though has been stated to be voluntary but it cannot be stated that the transfer has been made according to the prayer of the petitioner, therefore, it is prayed that the transfer with respect to the petitioner may be canceled.

4. Perused the documents. The documentary Annexure P-2 shows that the mutual transfer was sought for with one Gaya Prasad Lilhare by the petitioner and it was served in the office of DEO on 29.06.2019. Considering the transfer that the petitioner is transferred to Government H.S. School, Chircharikala, Block Churiya, it is directed that the petitioner may make a representation before the respondent No.1 within a period of two weeks from today and the said respondent in turn shall consider and decide the same in accordance with the transfer policy at the earliest preferably within a further period of 45 days. Till the representation of the petitioner is decided, if the transfer order is not carried out, the effect and operation of the order dated 01.10.2019 shall remain stayed so far as the petitioner is concerned.
5. With the aforesaid observation, the writ petition stands disposed of.

Sd/-

Goutam Bhaduri
Judge