

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 8541 of 2019

Smt. Anjum Mirza Baig W/o Late M. A. Baig Aged About 53 Years
R/o Quarter No. H/12, Nayapara Colony, G. A. D. Quarters,
Jagdalpur, District Bastar Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of School Education, Mantralaya, Mahanandi Bhawan, Atal Nagar Nawa Raipur District Raipur Chhattisgarh
2. The District Education Officer Jagdalpur District Bastar Chhattisgarh,
3. The Block Education Officer Jagdalpur District Bastar Chhattisgarh,
4. The Headmaster Govt. Middle School, Halbakot, Block Jagdalpur District Bastar Chhattisgarh,
5. Pramod Kumar Pandey S/o Late Shri Sanath Kumar Pandey Working As Headmaster, Middle School Halbakot, Block Jagdalpur District Bastar Chhattisgarh

----Respondents

For petitioner – Shri Vikash Shrivastava, Advocate.
For State- Shri Kunal Das, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

17/10/2019

1. Grievance of the petitioner is that the petitioner was transferred from Government Middle School, Bhaishabandha, Block Jagdalpur to Government Middle School Halbakot, Block Jagdalpur by an order dated 21/08/2019. It is stated that the petitioner thereafter pursuant to the transfer order dated 21/08/2019 has given her joining as would be evident from Annexure P-2 on 26/08/2019. It is contended that respondent No.5 has approached this court in WPS No.6773/2019. On 4/09/2019 this court has observed that respondent No.5 i.e. the petitioner therein may file a representation within a period of 10 days from 4/09/2019 and thereafter same would be decided within a further period of 45 days. It is further

observed that till representation is decided relieving order of respondent No.5 Pramod Kumar Pandey may not be given effect to.

2. Considering the issue involved, after perusal of the order dated 4/09/2019 and perusal of Annexure P-2 the petitioner has already given the joining on 26/08/2019 and the order of stay in favour of respondent No.5 was passed on 4/09/2019 meaning thereby prior to the order passed on 4/09/2019 the petitioner had joined. The petitioner shall be entitled for all the emoluments of getting salary and status of the petitioner shall not be changed.

3. With such observation, the petition stands disposed of.

Sd/-

(Goutam Bhaduri)

JUDGE