

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 8701 of 2019**

Smt. Madhavi Goswami, W/o. Shri Jitendra Giri Goswami, Aged About 35 Years, Presently Posted As Training Officer (Mechanic Radio Television) Government Industrial Training Institute, Korba, District - Korba Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh, Through Secretary, Skill Development And Technical Education And Employment Department, Mantralaya, Mahanadi Bhawan Atal Nagar, Nawa Raipur, District Raipur Chhattisgarh.
2. Director, Directorate Of Skill Development And Technical Education And Employment Department, Indrawati Bhawan, Atal Nagar, Nawa Raipur, District Raipur Chhattisgarh.
3. Principal, Industrial Training Institute, Korba, District Korba Chhattisgarh.

---- Respondents

For Petitioner	:	Mr. Manish Upadhyay, Advocate
For State/Respondents	:	Mr. Amrito Das, Addl. A.G.

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****22.10.2019**

Heard

1. Challenge in this petition is to the transfer from I.T.I. Korba to I.T.I. Kurud, District Dhamtari. On the earlier round of litigation in WPS No.7167 of 2019 this Court by the order dated 11.09.2019 has directed the petitioner to make a representation. By the order dated 11.09.2019 no interim protection was granted to the petitioner. The said order was subject of appeal before the Division Bench in writ appeal, whereby the Division Bench of this Court on 03.10.2019 has passed the following orders :

“4. After hearing, we find it appropriate to cause the appeal to be disposed off with an observation that

representation dated 17.09.2019 shall be finalized by the competent authority as directed by the learned Single Judge and 'status quo' as on today shall be maintained till the matter is finalized.”

2. It is contended on behalf of the petitioner that after passing of the order on 03.10.2019, the petitioner had given joining again at I.T.I. Korba, therefore, the petitioner cannot be compelled to obey the transfer order as it is stood modified.
3. Accepting the contention of the petitioner that if she was relieved before the *status quo* order was passed by the Division Bench on 03.10.2019, it could not have been unilaterally modified by the act of the petitioner. The *status quo* order dated 03.10.2019 would prevail and any order by this Court would amount to over-reach the order passed by the Division Bench. Therefore, prayer of the petitioner cannot be entertained and this Court cannot pass the order that petitioner should be allowed to work at I.T.I. Korba, if she was already relieved. Therefore, the petition has no merit at this stage and accordingly is dismissed.

Sd/-
Goutam Bhaduri
Judge