

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 8723 of 2019**

Smt. Anjulata Dewangan, W/o. Tokeshwar Dewangan, Aged About 38 Years, Presently Posted And Working As Assistant Teacher (LB), Govt. Primary School, Batera, Block Dondi Lohara, District Balod Chhattisgarh.

---- **Petitioner**

Versus

1. State Of Chhattisgarh, Through The Secretary, Department Of School Education Mahanadi Mantralaya, Naya Raipur, Atal Nagar, Post Office And Police Station Naya Raipur, Atal Nagar, District Raipur Chhattisgarh.
2. Director, Directorate Of Public Instructions, Indrawati Bhawan, Naya Raipur, Atal Nagar, Post Office And Police Station Naya Raipur, Atal Nagar, District Raipur Chhattisgarh.
3. Collector Balod, District Balod Chhattisgarh.
4. District Education Officer Balod, District Balod Chhattisgarh.
5. Smt. Mamta Soni, Assistant Teacher (LB), Govt. Primay School, Mujgahan, Block Dondi Lohara, District Balod Chhattisgarh.

---- **Respondents**

For Petitioner	:	Mr. Vivek Kumar Shrivastava, Advocate
For State	:	Ms. Richa Shukla, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

24.10.2019

Heard.

1. Grievance of the petitioner is that, by the impugned transfer order dated 12.07.2019, the petitioner has been transferred from Govt. Primary School Batera, Block Dondi Lohara, District Balod to Govt. Primary School Mujgahan, Block Dondi Lohara, District Balod, which is said to be 74 km away.
2. It is contended the transfer has been made on the administrative ground, however, the respondent No.5, Mamta Soni, has been transferred there on her own accord; therefore, there is no necessity of transfer of the petitioner to other place and in order to accommodate the respondent No.5, the

petitioner has been transferred and the administrative ground actually do not exists. It is further contended that the husband of the petitioner is posted at Police Station Gunderdehi, District Balod; therefore, as per the policy of the Government, the husband & wife should be placed at the same place.

3. Perused the transfer order, which shows that the petitioner has been transferred on the administrative ground and the respondent No.5 has been shown to be transferred on her own accord. Taking into such fact and the fact that as per Annexure P-2 the husband of the petitioner is working at Gunderdehi, the petitioner is given liberty to make a fresh representation within a period of 15 days from today before the respondent authorities, who, in turn, shall consider and decide the same within an outer limit of 45 days from the date of receipt of the representation. Till then the transfer of the petitioner shall not be given effect to, if it has not been carried out till date.
4. With such observation, the petition stands disposed off.

Certified copy today.

Sd/-
Goutam Bhaduri
Judge