

## **HIGH COURT OF CHHATTISGARH, BILASPUR**

**WPS No. 9384 of 2019**

Smt. Shalini Pal W/o Arun Singh Pal Aged About 38 Years Working  
As Lacturer (L. B.) R/o Ramkali Bada, Kargil Chowk Jarhabhata,  
Bilaspur District Bilaspur Chhattisgarh

**---- Petitioner**

**Versus**

1. State Of Chhattisgarh Through The Secretary, School Education Department, Mantralaya, Mahanadi Bhawan, New Raipur District Raipur Chhattisgarh
2. Director Directorate Of Public Instruction, Indravati Bhavan, New Raipur District Raipur Chhattisgarh,
3. District Education Officer Bilaspur, District Bilaspur Chhattisgarh,
4. Block Education Officer Bilha, District Bilaspur Chhattisgarh,
5. Principal Govt. Higher Secondary School Madanpur, Block Bilha, District Bilaspur Chhattisgarh,

**----Respondents**

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For petitioner – Shri Govind Dewangan, Advocate.  
For State- Smt. Deepti Shukla, PL.

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**Hon'ble Shri Justice Goutam Bhaduri**

**Order**

**18/11/2019**

1. Grievance of the petitioner is that the petitioner was initially transferred from Government Higher Secondary School, Akalsara, Block Jaijaipur, District Sakti to Government Higher Secondary School Madanpur, Block Bilha, District Bilaspur vide order dated 21/08/2019. Pursuant to that she was relieved and gave her joining on 26/08/2019 as per Annexure P-4 at the place of transfer and reported to the District Education Officer, however she was not allowed to join at her place of posting, though earlier order was passed by the Secretary superseding that order another order was passed by the District Education Officer whereby she was transferred to Loharsison, Block Masturi and from the place of posting is also wrongly been shown. It is further contended that the petitioner delivered a baby and the place wherein she has been last

transferred to Loharsison, Block Masturi cannot be approached directly, therefore despite the fact earlier order has not been modified by the Secretary, subsequent order cannot be passed.

2. Perused the documents. Document shows that earlier the petitioner by the order of the Secretary was transferred from Government Higher Secondary School, Akalsara, Block Jaijaipur, District Sakti to Government Higher Secondary School Madanpur, Block Bilha, District Bilaspur. Petitioner was relieved on 26/08/2019 by Annexure P-3 and as per Annexure P-4 she gave her joining on 26/08/2019, however as has been stated she was not allowed to work. Subsequently, order has been passed wherein the petitioner is said to be transferred to Loharsison, Block Masturi. Said order is passed by the District Education Officer, Bilaspur. Considering the fact anomaly in the orders of transfer, earlier petitioner appears to have been transferred by the order of the Secretary and she was relieved, however subsequently over the said order another order is passed by the District Education Officer on 17/10/2019 wherein petitioner is said to be transferred to Loharsison, Block Masturi. Taking into such fact, it is directed that the petitioner shall make a representation within a period of 15 days from today to the concerned respondent. If such representation is filed, same may be decided within a further period of 60 days. Till then the transfer order dated 17/10/2019 in respect of the petitioner shall not be given effect to.

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

Sd/-

(Goutam Bhaduri)

JUDGE