

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 9637 of 2019

Smt. Priyanka Gajbhiye W/o. Minesh Gajbhiye Aged About 32 Years
Working As - Superintendent Of Kanya Porta Cabin Jangala Block
Bhairamgarh District Bijapur, Chhattisgarh. R/o Raut Para Bijapur,
District Bijapur, Chhattisgarh. **--- Petitioner**

Versus

1. State of Chhattisgarh through- Its Secretary, Department of Education Mantralay, Mahanadi Bhawan Naya Raipur P.S. Rakhi Revenue and Civil District Raipur, Chhattisgarh.
2. The Collector Bijapur Office of Collector Bijapur, District Bijapur, Chhattisgarh.
3. The District Education Officer Bijapur, District Bijapur, Chhattisgarh.
4. Smt. Sarojani Marpalli, Teacher L.B. Kanya Porta Cabin Janjala Block Bhairamgarh, District Bijapur, Chhattisgarh.-- **Respondents**

For the Petitioner	: Mr. Pravin Kumar Tulsyan, Advocate
For the Respondents	: Mr. Kapil Maini, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

25-11-2019

1. The petitioner who was working as Assistant Teacher (Panchayat) at Portakabin Jangala, Vikas-Khand Bhairamgarh has been transferred and posted as Superintendent at Kanya Porta Cabin Jangala by order dated 31.01.2019 until further orders. The grievance of the petitioner is that by order dated 25.09.2019, respondent no.4 has been transferred to the place of petitioner i.e., Kanya Porta Cabin Jangala Vikas Khan Bhairamgarh. The petitioner contends that two persons cannot be directed to work on the same post and the status of the petitioner should be made clear.

2. As per the Fundamental Rule 12, the appointment of two or more government servants should not be made to the same post. Therefore, the petitioner is directed to make a representation before respondent no.2 within a period of 3 weeks from today and on such representation being made, respondent No.2 shall consider and decide the representation by clarifying the status of the petitioner as per Fundamental Rule 12 within a further period of 60 days from the date of receipt of representation.
3. Till the representation of the petitioner is decided, the status quo as existing today shall be maintained by the parties.
4. With the above observations, this writ petition stands finally disposed off.

Sd/-

**GOUTAM BHADURI
JUDGE**