

HIGH COURT OF CHHATTISGARH AT BILASPUR**W.P.(S) No. 10718 of 2019**

Smt. Khemlata Thakur, W/o. Shri Name Singh Thakur, Aged About 39 Years, Assistant Teacher, L.B., Govt. Middle School, Korguda, Block Dondi-Lohara, District Balod, Chhattisgarh

---- Petitioner**Versus**

1. State Govt. Of Chhattisgarh, Through The Secretary, School Education Department, Ministry, Mahanadi Bhawan, P.S. Rakhi, New Raipur, Chhattisgarh
2. Collector, Balod, Chhattisgarh
3. District Education Officer, Balod, Chhattisgarh
4. Block Education Officer, Dondi-Lohara, District Balod, Chhattisgarh.
5. Smt. Bhojlalta Deshmukh, Assistant Teacher (L.B.) Govt. Middle School, Turmonda, Block Dondi-Lohara, District Balod, Chhattisgarh.

---- Respondents

For Petitioner	:	Mr. Anukul Biswas, Advocate
For State/Respondents	:	Ms. Akanksha Jain, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri**Order on Board****17.12.2019**

1. Grievance of the petitioner is that the petitioner is working in Govt. Middle School Korguda, Block Dondi-Lohara, District Balod and she has been transferred to Govt. Middle School Turmuda, Block Dondi-Lohara, District Balod. It is contended that the petitioner has been transferred on the administrative ground; whereas it has been done to accommodate one Bhojlata Deshmukh who filed an application wanting volunteer transfer.
2. Learned counsel for the petitioner submits that in order to accommodate the respondent No.5, Smt. Bhojlata Deshmukh, the petitioner cannot be transferred from one place to another; therefore, the transfer of the petitioner may be canceled.

3. State counsel submits that the documents filed by the petitioner, which is on record, would show that the distance between the present place of posting and the transferred place of the petitioner is only 32 km.
4. Perused the documents and the transfer order. Unless and until severe prejudice would cause, normally the transfer is not effected. The transfer being the incident of service, it is the State Government which would decide whether the particular person has to be placed or posted, unless and until the transfer shock the conscience of Court for any reason of illegality or arbitrariness, normally the interference of the Court is not called for. However, the petitioner shall be at liberty to make a fresh representation within a period of 15 days from today to the Collector, Balod, who in turn shall decided the same within a period of 45 days from the date of receipt of the representation.
5. With such observation, the petition stands disposed off.

Sd/-
(Goutam Bhaduri)
Judge