

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 1555 of 2020**

Dr. Neetu Harmukh, D/o. Late Ashish Harmukh, Aged About 41 Years, Working As Assistant Professor (Botany), And Posted At Government D.B. Women P.G. College, Raipur, R/o. Shri Hari Niwas, Near Yash Atta Chakki, Subhash Nagar, Durg, District- Durg, Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh, Through The Secretary, Department Of Higher Education, Mantralaya, Mhanadi Bhawan, Atal Nagar, Naya Raipur, District- Raipur, Chhattisgarh.
2. Upper Director, Directorate Of Higher Education, Atal Nagar, Raipur, District- Raipur, Chhattisgarh.
3. Collector Raipur, District- Raipur, Chhattisgarh.
4. The Principal, Government D.B. Women P.G. College, Raipur, District- Raipur, Chhattisgarh.

---- Respondents

For Petitioner : Mr. Lavkush Kumar Sahu, Advocate

For State/Respondents : Ms. Richa Shukla, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri**Order on Board****05.03.2020**

1. Challenge in this petition is to the order dated 14.02.2020 (Annexure P-1) wherein the petitioner has been directed to be relieved.
2. In the earlier occasion, the petitioner was transferred on 21.08.2019 from Govt. D.B. Girls P.G. College Raipur to Govt. College Gobra, Navapara, District Raipur, which was subject of challenge before this Court in WPS No.7060 of 2019 wherein this Court on 04.09.2019 has passed the order to file a representation. Subsequently, the representation having been filed, the Grievance Redressal Committee rejected the same vide order dated 18.10.2019 that too was subject of challenge in WPS No.10543 of 2019 wherein this Court on 12.12.2019 has found that the rejection of the

representation by the Grievance Redressal Committee is just and proper. Thereafter, again this petition has been filed on the ground that the petitioner has been directed to be relieved and the petitioner is an office holder of Chhattisgarh APAKS, therefore, she cannot be relieved.

3. State counsel opposes the argument and would submit that in the earlier occasion too, the transfer of the petitioner was held to be justified and no relief was granted; therefore, the instant petition is devoid of merit.
4. Perusal of the documents filed along with the petition would show that in earlier two occasions, against the transfer, the petitioner had preferred the petitions and no relief was granted to the petitioner and eventually the transfer was held to be valid. On the first occasion, the petitioner was allowed to file representation and the representation having been filed, the same was dismissed. After dismissal of representation, another writ petition was filed which too was dismissed. Now again against the relieving order Annexure P-1, the present petition has been filed. When the order of transfer has been affirmed then the order to relieve the petitioner is an execution ministerial part. The transfer order having been upheld, the relieving order cannot be stayed or interfered. The instant petition is completely misconceived and abuse of process of law; therefore, the petition is dismissed with cost of Rs.1000/- payable to the High Court Bar Association Library Fund.

Sd/-
(Goutam Bhaduri)
Judge

Ashok