

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 3531 of 2020**

Smt. Sarshwati Dey, W/o. Dilip Dey, Aged About 57 Years, R/o. Village Bharatpur, District Koriya, Presently Posted As Project Officer Integrated Child Development Project At Marwahi, District Gaurella Pendra Marwahi Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh, Through Secretary, Woman And Child Development Department, Mahanadi Bhawan, New Mantralaya, Atalnagar, District Raipur Chhattisgarh.
2. State Of Chhattisgarh, Through Collector, District Gaurella Pendra Marwahi Chhattisgarh.
3. State Of Chhattisgarh, Through District Project Officer, District Gaurella Pendra Marwahi Chhattisgarh.

---- Respondents

For Petitioner : Mr. Hemant Gupta, Advocate

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

Hon'ble Shri Justice Goutam Bhaduri**ORDER****07.10.2020**

Heard

1. Learned counsel for the petitioner would submit that the petitioner was transferred by order dated 21.08.2019 from Integrated Child Development Project Marwahi, District Bilaspur to Integrated Child Development Project Gaurella, District Bilaspur on administrative ground and one Pushpa Kuzur who was earlier posted at Integrated Child Development Project Gaurella, District Bilaspur was transferred to Integrated Child Development Project Kondagaon, District Kondagaon. The said order was passed by the Under Secretary, State of Chhattisgarh; however, in order to accommodate Ms. Pushpa Kuzur another order dated 11.08.2020 was passed by the Collector wherein the petitioner has been attached at Gaurella-Pendra-Marwahi but

she could not take the charge as Pushpa Kuzur who has been transferred has not been relieved.

2. Learned State counsel was directed to seek instructions in the earlier two dates of hearing, but today again no instructions have been received by the State counsel.
3. Prima facie the order Annexure P-1 would show that it was passed on 21.08.2019 wherein the petitioner was transferred as Project Officer, Integrated Child Development Project Marwahi, District Bilaspur to Integrated Child Development Project Gaurella, District Bilaspur and one Ms. Pushpa Kuzur was transferred from Gaurella to Kondagaon. Subsequently, by the order of Collector, which was passed on 11.08.2020 the petitioner has been attached at Gaurella wherein she has been transferred. The order passed by the Collector appears to over reach the order passed by the Under Secretary, State of Chhattisgarh. Therefore, since no instruction is being imparted to the State, the Respondents No.2 & 3 are directed to comply the transfer order dated 21.08.2019 which is passed by the State so that the transfer order dated 21.08.2019 is executed in it's true spirit. The said formalities may be carried out within a further period of 3 weeks from the date of receipt of a copy of this order.
4. With the aforesaid observation, the writ petition stands disposed of.

Aks

Sd/-
Goutam Bhaduri
Judge