

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 2250 of 2021

Smt. Martina Yadav W/o Shri Sumer Singh Yadav Aged About 59 Years
Posted As Lecturer At Government Higher Secondary School Tarbahar ,
Bilaspur, District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Its Secretary, School Education Department Mahanadi Mantralaya Naya Raipur Atal Nagar Post Office, Police Station Naya Raipur Atal Nagar District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. Director Directorate Of Public Instruction, Indravati Bhavan Naya Raipur Atal Nagar Raipur Chhattisgarh., District : Raipur, Chhattisgarh
3. District Education Officer Bilaspur Chhattisgarh.

---- Respondents

For Petitioner	:	Mr. Rakesh Kumar Jha, Advocate
For State	:	Mr. Sudeep Verma, Deputy G.A.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

06/04/2021

1. Aggrieved by the order of transfer dated 08.12.2020 transferring the petitioner from the Govt. Higher Secondary School, Tarbahar, Bilaspur to the Govt. Higher Secondary School, Darrighat.
2. The petitioner seems to have questioned the order of transfer only on the ground that before transfer certain options were sought from the petitioner and the petitioner had given certain options, where the the petitioner could be accommodated and where post of the petitioner was available.
3. However, contrary to the options that were exercised by the petitioner, she has been transferred to a different school altogether.

Considering the fact that the present place of transfer of the petitioner, is just around 15-20 KMs away from city of Bilaspur, this Court does not find any strong case calling for an interference with the order of transfer.

4. However, since the contention of the petitioner is that the place, where she is being transferred, does not have a sanctioned vacant post it will be more appropriate for the respondent No.1 to take an appropriate decision on the subject issue and also consider whether the petitioner can be posted at the place where the petitioner has exercised options, and where the post in the subject in which the petitioner is discharging her duties is available.
5. The petitioner since has already made a detailed representation in this regard, the writ petition at this juncture stands disposed of directing the respondent No.1 to take an appropriate decision on the representation of the petitioner and also considering the ground that she has raised in the representation at the earliest preferably within a period of 60 days from the date of receipt of the copy of this order.
6. With the aforesaid observations, the present writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

Ved