

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WRIT PETITION (S) NO. 4969 OF 2021**

- Smt. Laxmi Uikey, W/o Shri Bhagwat Singh Uikey, aged about 47 years, R/o Ward No.08, Shastri Nagar, Puchha Para, Katghora, Police Station Katghora, District Korba (CG)

... Petitioner**versus**

1. The State of Chhattisgarh, through the Secretary, Department of School Education, Mantralaya, Mahanadi Bhawan, Atal Nagar, Nawa Raipur, District Raipur (CG)
2. The Director, Public Instruction, Indrawati Bhawan, 1st Floor, New Raipur, District Raipur (CG)
3. Joint Director, Education Department, Bilaspur, District Bilaspur (CG)
4. Principal Government, Higher Secondary School, Parsada, Block Pali, District Korba (CG)
5. District Education Officer, Korba, District Korba (CG)
6. Block Education Officer, Pali, District Korba (CG)
7. Ku. Suchita Toppo, Lecturer Political Science, posted at Govt. Higher Secondary School, Pali, District Korba (CG)
8. Smt. Sunita Kankhoje, Lecturer Geology, posted at Govt. Higher Secondary School, Pali, District Korba (CG)
9. M. M. Sharma, Lecturer Sanskrit, posted at Govt. Higher Secondary School, Pali, District Korba (CG)

... Respondents

For Petitioner	:	Mr. Amit Kumar Sharma, Advocate.
For Respondent-State	:	Mr. Suyash Dhar, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****[17/09/2021]**

1. The present Writ Petition has been filed by Petitioner seeking for quashment of order of transfer dated 8.12.2020 (Annexure P-1).
2. Considering the fact that the order of transfer was passed in December, 2020 and the present Writ Petition has now been filed almost after 10 months' time, this Court hardly finds any scope of interference which could be made to the impugned order of transfer at this stage.
3. Further, it is also reflected that the claim of Petitioner is based upon the correspondence made by the office of the District Education Officer. This also would not be a ground available for Petitioner to challenge the order of transfer, for the reason that the order of transfer has been issued

at the State Government level and any modification or amendment to the said order can only be made by the State Authorities. Unless the State Authorities modify the order, for all practical purposes the Petitioner would have to comply with the order which is already issued before 10 months ago.

4. This Court therefore does not find any strong case made out by Petitioner calling for an interference with the impugned order of transfer.

5. However, the Petitioner's right to approach the Respondent Authorities for any modification or amendment in the order would still be opened for him to pursue the same on the administrative side.

6. Writ Petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

/sbarad/