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HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 3454 of 2025

Smt. Seema Verma W/o Girish Kumar Verma Aged About 46 Years R/o Street-37, Sarojani Nagar, Dhanora, Tah And Dist- Durg (C.G.) 491001

... Petitioner(s)

versus

1. State Of Chhattisgarh Through The Secretary, Department Of School Education, Mahanadi Bhawan, New Raipur, Tahsil And District- Raipur (C.G.)

2. Director, Directorate Of Public Instructions, Indrawati Bhawan, Nawa Raipur, District- Raipur (C.G.)

3. Joint Director Education Division Durg, Near Jila Panchayat Building, G.E. Road, Durg, Dist. Durg (C.G.)

4. Collector Durg, Dist. Durg (C.G.)

5. R.L. Thakur, Presently Posted As Divisional Joint Director, Education Division Durg, Dist. Durg (C.G.)

... Respondent(s)

(Cause title is taken from Case Information System)

For Petitioner	: Mr. Mateen Siddiqui, Senior Advocate along with Mr. Tribhuwan Das and Ms. Zainab Vanak, Advocate
For Respondents/ State	: Mr. Akshay Uppal, Dy. G.A.
For Respondent No. 5	: Mr. Vinod Kumar Sharma with Mr. Gopal Prasad Mathur, Advocate

(HON'BLE SHRI JUSTICE BIBHU DATTA GURU)

Order on Board

03/11/2026

1. By way of the present writ petition, the petitioner has assailed the orders dated 01.03.2025 and order dated 03.01.2025, whereby her representations were rejected.

2. Learned counsel appearing for the petitioner submits that, in an earlier writ petition preferred by the petitioner, bearing WPS No. 538 of 2025, this Court, vide order dated 21.01.2025, had directed the respondent authorities to consider the case of the petitioner in a pragmatic manner and pass an appropriate order regarding her transfer within a period of one month, taking into consideration the fact that her father-in-law is suffering from stomach cancer and that the petitioner herself is suffering from Dysfunctional Uterine Bleeding (DUB). Learned counsel further submits that, pursuant to the aforesaid order dated 21.01.2025, the petitioner submitted her representation and was directed to appear before the Medical Board. Upon examination, the Medical Board confirmed that the petitioner was suffering from Dysfunctional Uterine Bleeding (DUB). Thereafter, the opinion of the Civil Surgeon was sought, who observed that the ailment suffered by the petitioner was not serious in nature. Relying upon the said opinion, the representation of the petitioner came to be rejected by order dated 01.03.2025.

3. Learned counsel by referring to page 70 of the writ petition further submits that although the Civil Surgeon observed that the ailment of the petitioner was not serious in nature, he simultaneously advised her to undergo a biopsy and specifically observed that a conclusive opinion could be given only after receipt of the biopsy report. However, instead of awaiting the biopsy report or directing the petitioner to undergo the requisite investigation, the Joint Director rejected her representation on the basis of the aforesaid opinion. Learned counsel, therefore, alleges arbitrariness and

mala fide on the part of the Joint Director. It is further submitted that the petitioner is not seeking a posting at the same place from where she was transferred; rather, she is willing to be posted at any nearby block in the vicinity of Durg as her father-in-law who is suffering from stomach cancer is also residing in Durg and she is also taking care of hear ailing parents-in-laws. In view thereof, learned counsel prays that the writ petition may be disposed of with a direction to the respondent authorities to reconsider the grievance of the petitioner in the light of the order passed by this Court in WPS No. 538 of 2025, decided on 21.01.2025, and the grounds raised in her representation.

4. Per contra, learned State counsel submits that the representation of the petitioner shall be reconsidered by the concerned respondent, taking into consideration the grounds raised therein.

5. I have heard learned counsel appearing for the parties and perused the material available on record.

6. Having considered the submissions made by learned counsel for the parties and the pleadings in the earlier writ petition, being WPS No. 538 of 2025, which was disposed of by this Court with a direction to the respondent authorities to consider the grievance of the petitioner in a pragmatic manner, particularly in the light of the medical documents placed on record, this Court finds that the grievance raised by the petitioner deserves consideration in the light of the aforesaid directions.

7. Undisputedly, the petitioner is suffering from Dysfunctional Uterine Bleeding (DUB), which has also been confirmed by the Medical

Board. Further, the Civil Surgeon has observed that a conclusive opinion regarding the petitioner's medical condition can be given only after receipt of the biopsy report. In such circumstances, the medical condition of the petitioner requires due consideration while examining her request for transfer. It is also relevant to note that the petitioner is not seeking a posting at any particular district or insisting upon being retained at her previous place of posting. Rather, she has expressed her willingness to be posted at any nearby block in the vicinity of Durg as her father-in-law who is suffering from stomach cancer and mother-in-law are also residing in Durg and she is taking care of them.

8. Considering the aforesaid facts and circumstances, the petitioner is directed to submit a fresh representation, along with all relevant medical documents, before the Director of Public Instructions (DPI) within a period of 10 days from today. Upon receipt of such representation, the DPI shall consider the grievance of the petitioner objectively and sympathetically, keeping in view the directions issued by this Court in WPS No. 538 of 2025, the medical documents placed on record, and the observations made hereinabove. The DPI shall also consider the request of the petitioner for her posting at a nearby block in the vicinity of Durg and take an appropriate decision in accordance with law.

9. With the aforesaid observations and directions, the present writ petition stands **disposed of.**

Sd/-
(BIBHU DATTA GURU)
JUDGE

Jyoti