

(2019) 09 CHH CK 0120

Chhattisgarh High Court

Case No: Writ Petition (S) No. 7697 Of 2019

Prem Lata Sharma

APPELLANT

Vs

State Of Chhattisgarh And Ors

RESPONDENT

Date of Decision: Sept. 18, 2019

Hon'ble Judges: P. Sam Koshy, J

Bench: Single Bench

Advocate: Shashank Thakur, P. Acharya

Final Decision: Disposed Of

Judgement

P. Sam Koshy, J

1. The challenge in the present Writ Petition is to the order Annexure P/1 dated 31.08.2019 whereby the respondent No. 3 has canceled the joining

given by the petitioner at Government High School, Ruda Block and District Durg.

2. According to the petitioner he is substantively a teacher in the 'E' Cadre and he has been treated to be a teacher in 'T' Cadre. The joining of the

petitioner seems to have been canceled which is per se illegal.

3. Given the aforesaid facts and circumstances, particularly, taking note of the fact that petitioner has already been given joining at Government

High School, Ruda District Durg vide its transfer order dated 22.08.2019, prima facie, the impugned order seems to be bad in law. Accordingly, let

petitioner make a fresh representation to the respondent No. 2 & 3 who in turn shall consider the entire facts and circumstances of the case

particularly the fact that petitioner substantively is a teacher in the E Cadre and take an appropriate decision preferably within a further period of 45

days from the date of receipt of copy of this order and the respondents would also have the liberty to correct any error which has crept in.

4. Till the decision is taken on the representation of the petitioner, there shall be stay of the effect and operation of the impugned order Annexure P-1

dated 31.08.2019 and the petitioner would be permitted to continue discharging his duties at the Government High School, Ruda, District Durg.

5. With the aforesaid observations, the writ petition stands disposed of.