

Nita Janghel Vs State Of Chhattisgarh And Ors

Court: Chhattisgarh High Court

Date of Decision: Oct. 16, 2019

Hon'ble Judges: Goutam Bhaduri, J

Bench: Single Bench

Advocate: Yogendra Chaturvedi, Avinash Singh

Final Decision: Disposed Of

Judgement

Goutam Bhaduri, J

1. Heard.

2. The grievance of the petitioner is that the petitioner has been working in the Government H.S. School, Musra, Block Dongargarh, District

Rajnandgaon she has been transferred to Government H.S. School, Chircharikala, Block Churiya, District Rajnandgaon and the reason of transfer is

shown as voluntary.

3. It is contended that the petitioner was never voluntary for transfer to that place instead mutual exchange transfer was prayed for with Gaya Prasad

Lilhare as the petitioner prays to be transferred where the husband resides i.e. the Government High School, Rampur, Block Churiya. It is further

submitted that as per the policy of the State normally the husband & wife are kept in the same place, therefore, the transfer though has been stated to

be voluntary but it cannot be stated that the transfer has been made according to the prayer of the petitioner, therefore, it is prayed that the transfer

with respect to the petitioner may be canceled.

4. Perused the documents. The documentary Annexure P-2 shows that the mutual transfer was sought for with one Gaya Prasad Lilhare by the

petitioner and it was served in the office of DEO on 29.06.2019. Considering the transfer that the petitioner is transferred to Government H.S. School,

Chircharikala, Block Churiya, it is directed that the petitioner may make a representation before the respondent No.1 within a period of two weeks

from today and the said respondent in turn shall consider and decide the same in accordance with the transfer policy at the earliest preferably within a

further period of 45 days. Till the representation of the petitioner is decided, if the transfer order is not carried out, the effect and operation of the

order dated 01.10.2019 shall remain stayed so far as the petitioner is concerned.

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