



NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

WPS No.87 of 2023

- Tanuja Ekka W/o Sandeep Lakda Aged About 29 Years Posted As Assistant Teacher (L. B.) (E.) Government Primary School, Bhatgaon Colliery, Block-Bhaiyathan, District : Surajpur, Chhattisgarh

---- **Petitioner**

Versus

1. State of Chhattisgarh Through The Secretary, General Administration Department, Mantralaya, Mahanadi Bhawan Naya Raipur, Atal Nagar, P.O. & Police Station Naya Raipur, District : Raipur, Chhattisgarh
2. The Director Lok Shikshan Directorate, Naya Raipur, District Raipur (CG)
3. The Commissioner Surguja Division, Ambikapur, District : Surguja (Ambikapur), Chhattisgarh
4. The Collector Surajpur, District : Surajpur, Chhattisgarh
5. The District Education Officer Surajpur, District : Surajpur, Chhattisgarh
6. Block Education Officer Bhaiyathan, District : Surajpur, Chhattisgarh
7. District Level Transfer Committee Through The Incharge Secretary, Surajpur, District : Surajpur, Chhattisgarh
8. Deputy Director And Member Secretary Departmental Coordination Committee, Atal Nagar, Naya Raipur, District : Raipur, Chhattisgarh

---- **Respondents**

06/02/2023	Mr. V.K. Pandey, Advocate for petitioner. Ms. Hamida Siddiqui, Dy. Advocate General for the State. Heard.

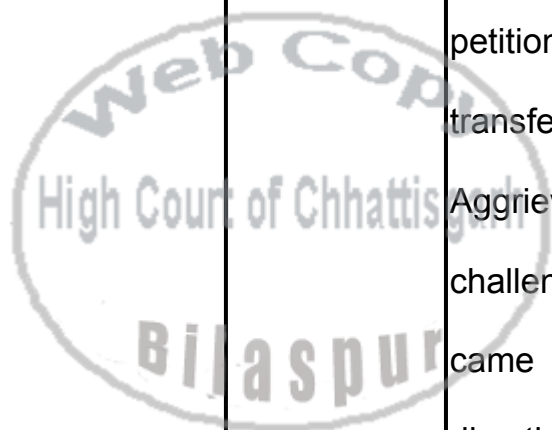


Issue notice to respondents.

Learned State Counsel accepts notice on behalf of respondents, hence process fee is not required to be paid for issuance of notice to respondents. She prays for and is granted four weeks' time to file reply.

Also heard on I.A. No.01/2023, an application for grant of interim relief.

Learned counsel for petitioner would submit that petitioner, who is working as Assistant Teacher, has been transferred on administrative ground to another block. Aggrieved therewith petitioner filed WPS No.6150/2022 challenging her transfer order dated 9.9.2022, which came to be disposed of vide order dated 27.9.2022 directing petitioner to submit representation before the Committee constituted under Transfer Policy, 2022 and it was further directed that till decision on petitioner's representation or for a period of four six weeks, transfer order of petitioner shall not be given effect to. Petitioner submitted representation before the Committee constituted under Transfer Policy, 2022 and the Committee rejected representation of petitioner without considering grounds raised therein in an objective





manner.

Learned State Counsel would submit that petitioner raised the ground with respect to teacher-student ratio, which is an administrative act to be looked into by the employer. Furthermore, petitioner has not placed on record any document showing strength of students admitted and studying at transferred place of posting of petitioner. The Committee has considered this ground of petitioner and rejected representation holding that ratio of teacher in comparison to students is sufficient.

Considering facts and circumstances of case, submission of learned counsel for petitioner as also decision of the Committee constituted under Transfer Policy, 2022, purely as an interim measure, it is directed that effect and operation of order dated 9.9.2022, so far as it relates to petitioner herein, shall remain stayed till next date of hearing.

List this petition after four weeks.

Certified copy as per rules.

Sd/-
(Parth Prateem Sahu)
Judge