

Single Bench

S

C.R. No. 1

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**IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR**

**W. P. (S) No. 4846 OF 2009.**

**PETITIONER**

Jumri  
Smt. Kumud ~~Lakhanpuri~~, W/o. Shri  
Kamlesh ~~Lakhanpuri~~, aged about  
24 years, Higher Secondary School  
Lakhanpuri, Block-Charama,  
District Kanker, (C. G.)

P. R. No.  
Presented by Shri  
dated

5029/2009  
S. K. (Signature)  
20/10/2009

**VERSUS**

**RESPONDENTS**

- : 1. State of Chhattisgarh,  
Through : The Secretary,  
Department of Panchayat & Rural  
Development, D.K.S. Bhawan,  
Mantralaya, Raipur (C. G.)
2. Chief Executive Officer,  
Kanker, District-Kanker (C. G.)
3. The Principal,  
Higher Secondary School  
Lakhanpuri, District- Kanker,  
(C. G.)



**WRIT PETITION UNDER ARTICLE 226 OF THE  
CONSTITUTION OF INDIA**



XI-HC-78

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक 11.P.(S) 4846/ सन् 2009

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
<b>SB : HON'BLE SHRI JUSTICE PRITINKER DIWAKER</b> <b>31.8.2009</b>	<p>Shri Somkant Verma, counsel for the petitioner. Shri Vivek Sharma, P.L. for the State.</p> <p>Challenge in the present petition is to the order dated 31.7.2009 passed by the respondent No.2 by which the petitioner who is working as Shiksha Karmi Grade-II has been transferred from Govt. Higher Secondary School, Lakhapuri to Middle School Bande, Block Pakhanjur, Distt. Kanker.</p> <p>Contention of the counsel for the petitioner is that in her appointment letter itself it was mentioned that the petitioner would be on probation for two years in the school where she is being appointed and her services are not transferable during that period. He further submits that the Shiksha Karmis are not being transferred by the government and therefore the order impugned is bad in the eye of law.</p> <p>On the other hand, counsel for the State fairly submits that the matter requires consideration by the competent authority and therefore the petitioner may file a representation before the respondent No.2 and the same would be considered in accordance with law.</p> <p>To this proposition of the State counsel, counsel for the petitioner showed his agreement. However, he prays for an interim protection till the representation of the petitioner is decided by the authorities concerned.</p>	



XI-HC-78

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ल.प. (5) 4846/ तिथि 2009

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश —2—	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	Accordingly the petition is disposed of with a direction that if the petitioner makes a representation to the authorities concerned within a period of ten days from the date of receipt of copy of the order, the authorities concerned shall decide the same within a further period of three weeks from the date of its receipt. Till then the order impugned shall be kept in abeyance so far as it relates to the petitioner.	Sd/- <b>Pritinker Diwaker</b> Judge