

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 5073 of 2017

1. C. L. Dritlahare S/o Shri Jhaduram Dritlahare, Aged About 58 Years Block Education Officer, Block Bhaiyathan, District Surajpur, Chhattisgarh. Permanent Resident Of Bhartiya Nagar, Bilaspur, District Bilaspur, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, School Education Department, Mantralaya, Mahanadi Bhawan, Mantralaya, Naya Raipur, Chhattisgarh.
2. Secretary, Tribal Welfare Department, Mahanadi Bhawan, Mantralaya, Naya Raipur, Chhattisgarh.
3. Commissioner, Tribal Welfare, Chhattisgarh, Naya Raipur, Chhattisgarh.
4. Asst. Commissioner, Tribal Welfare, Surajpur, District Surajpur, Chhattisgarh.
5. District Education Officer, Surajpur, District Surajpur, Chhattisgarh.
6. M.S. Pawar, Block Education Officer, Block Chhura, District Gariyaband, Chhattisgarh.

---- Respondent

For Petitioner	Ms Meena Shastri, Advocate.
For Respondents/State	Shri Sameer Behar, P.L

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

23/10/2017

1. Challenge in this petition is to the order dated 11.08.2017 by which the petitioner, working as Block Education Officer, has been transferred from Bhaiyatan, District Surajpur to Mainpur

District Dariyaband on administrative grounds. According to the petitioner, the petitioner is the employee of the Tribal Development Department whereas the impugned order has been passed by the School Education Department and as such the same is illegal.

2. Considering the facts situation of the case, it would be appropriate to allow the petitioner to prefer a representation before the concerned competent authority raising his grievance against the impugned transfer order.
3. Let the petitioner prefer representation within a period of 02 weeks from today and thereafter, the concerned competent authority shall consider and decide the same within the next 8 weeks, in accordance with law and on its own costs.
4. For a period of 10 weeks or till the representation is decided, whichever is earlier, the *status quo*, as it exists today, in respect of the petitioner's posting, shall be maintained.
5. The writ petition is accordingly disposed of.
6. It is made clear that this Court has not expressed any opinion on the merits of the case and the respondent authorities shall decide the matter, on its own merits, strictly in accordance with law, without treating any observation made in this order, as opinion on the merits of the case.

Sd/-

Judge

Prashant Kumar Mishra

Gowri