

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 5420 of 2017**

- Satish Kumar Chelak S/o D. D. Chelak Aged About 49 Years R/o H. I. G. 285, Borsi Colony, Durg, District Durg, Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Its Secretary, Department Of Water Resource, Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur, Chhattisgarh.
2. The Superintendent Engineer E/ M, L/ M, T/ W And Gates, Water Resources Department Shivnath Mandal Durg, Division Durg, District Durg, Chhattisgarh.
3. The Sub Divisional Officer, E/ M Regional Workshop Sub-Division Water Resource Department, Raipur, District Raipur, Chhattisgarh.
4. The Sub- Divisional Officer, E/ M, L/ M, T/ W And Gates, Water Resources Department, Sub Division Rajnandgaon, District Rajnandgaon, Chhattisgarh.
5. The Sub Divisional Officer L/ M, T/ W And Gates, Water Resources Department Sub Division Balod, District Balod, Chhattisgarh.
6. The Executive Engineer, E/ M , HEMM, Water Resources Department, Division Raipur, District Raipur, Chhattisgarh.
7. A. K. Khobragade, Present Posting In Charge S. D. O. Sub Division Rajnandgaon, District Rajnandgaon, Chhattisgarh.

---- Respondent

For Petitioner	Mr. Jitendra Gupta, Advocate
For Respondent /State	Mr. Adhiraj Surana, Dy. GA

Hon'ble Shri Justice Prashant Kumar Mishra
Order On Board

23/11/2017

(1) Heard.

(2) Challenge in this petition is to the order dated 08.09.2017, by which, the petitioner, who is working on the post of Sub Engineer, has been transferred from Rajnandgaon to Balod for 6 months from the date of his joining, on administrative grounds.

(3) The petitioner's shifting from Rajnandgaon to Balod is under challenge on the ground that when the petitioner claimed that by virtue of seniority, he should be made Sub-Division Officer In charge, he has been picked by the Superintendent Engineer and shifted though he had joined at the present place of posting under the transfer order of the State Government only on 23.08.2017.

(4) 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.

(5) Let the petitioner prefer representation within a period of 04 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 merits.

(6) For a period of 12 weeks or till the representation is decided, whichever is earlier, the *status quo*, in respect of the petitioner's posting, granted by this Court on 12.10.2017, shall be maintained.

(7) The writ petition is accordingly disposed of.

(8) 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)