

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 5469 of 2017

- Kailash Singh Tekame S/o Shri Surjoram Temake, Aged About 56 Years, Working As Assistant Development Extension Officer, Janpad Panchayat, Rajpur, District Balrampur Ramanujganj Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh, through the Secretary, Panchayat And Rural Development Department, Mahanadi Bhawan, Mantralaya, New Raipur, Chhattisgarh
2. The Joint Secretary, Government of Chhattisgarh, Panchayat and Rural Development Department, Mahanadi Bhawan, Mantralaya, New Raipur, Chhattisgarh

---- Respondents

For Petitioner	Shri A. C. Sahu, Advocate
For Respondent-State	Shri Sameer Behar, PL

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

03/11/2017

1. Challenge in this petition is to the order dated 14.08.2017, by which the petitioner has been transferred from Janpad Panchayat, Ambagarh Chowki, District Rajnandgaon to Janpad Panchayat, Rajpur, District Balrampur on the ground of administrative exigency.
2. The ground raised by the petitioner is that the impugned order has been passed without any administrative exigency and as such, the same is in violation of the transfer policy issued by the

State Government.

3. 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.
4. Let the petitioner prefer representation within a period of 4 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.
5. 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.
6. The writ petition is accordingly disposed of.
7. 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

Nirala