

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 5697 of 2017

- Dharampal Deshabhratar S/o Shri Karunaji, Aged About 58 Years Working As Sub Engineer, Mahanadi Jalasay Pariyojana Disnate Sub Division No.11 Water Resources Department, Bangoli District Raipur, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Water Resource Department, Mahanadi Bhawan Mantralaya, Naya Raipur, District Raipur, Chhattisgarh
2. State Of Chhattisgarh Through The Joint Secretary, Water Resource Department, Mahanadi Bhawan Mantralaya, Naya Raipur, District Raipur, Chhattisgarh
3. Engineer-In-Chief, Water Resource Department, Sihava Bhawan Raipur, District Raipur, Chhattisgarh
4. Sub Divisional Officer, Water Resource Department, Mahanadi Jalasaya Pariyojna, Sub Division No.11 Bangoli District Raipur, Chhattisgarh
5. Chief Engineer, Mahanadi Godawari Basin, Water Resources Department, Raipur, District Raipur, Chhattisgarh

---- Respondent

For Petitioner
For Respondents/State

Shri Suresh Kumar Verma, Advocate.
Shri Rajendra Tripathi, P.L.

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

01/11/2017

1. Challenge in this petition is to the order dated 03.08.2017 by which he has been transferred from Mahanadi Jalasaya Pariyojna, Sub Division No.11 Bangoli District Raipur, C.G. to Mahanadi Jalasaya Pariyojna Bandh Sub

Division No.1 Gangrel District Dhamtari on the ground of administrative exigency.

2. The ground raised by the petitioner in this petition is that the petitioner is suffering from slip disc and is taking treatment.
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

Akhilesh