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HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 5695 of 2017**

- Bhagwat Prasad Kashyap S/o Shri Shyam Lal Kashyap, Aged About 39 Years Patwari , At Patwari Halka No. 20, Jatri, Tahsil Pusour, District Raigarh, R/o Village Chitkakani, Post Jurda, Tahsil Raigarh, Civil And Revenue District Raigarh, Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through: The Secretary, Revenue And Disaster Management Department, Mahanadi Bhawan, Naya Raipur, And District Raipur, Chhattisgarh.
2. Under Secretary, Government Of Chhattisgarh, Department Of Revenue And Disaster Management, Mantralay, Mahanadi Bhawan, Naya Raipur, District Raipur, Chhattisgarh.
3. The Secretary And Coordinator Of Senior Secretary Committee, General Administration Department, Mahanadi Bhawan, Mantralaya, New Raipur, Chhattisgarh.
4. The Collector, Raigarh, District Collector, Chhattisgarh.
5. Sub Divisional Officer (Revenue) Raigarh, District Raigarh, Chhattisgarh.

---- Respondent

For Petitioner	Shri A.K. Prasad, Advocate.
For Respondents/State	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 14.08.2017 by

which he has been transferred from Patwari halka No.20, Jatri, Tahsil Pusaur, District Raigarh to Tahsil Gharghoda on the ground of administrative exigency.

2. The ground raised by the petitioner is that the petitioner is the President of C.G Patwari Sangh District Raigarh and in the light of the circular dated 24.06.1996. He cannot be transferred for a period of three years after being elected as the President of the employees union.
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