

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 5923 of 2017**

- Rahul Swarnakar S/o Shri Vibhishan Swarnkar, Aged About 27 Years
Posted as Patwari P. H. No. 13, Jhilmila, Tahsil Saraipali, District
Mahasamund, Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through: Secretary, Revenue And Disaster
Management Department, Mahanadi Bhawan, Mantralaya, New
Raipur, District Raipur, Chhattisgarh.
2. Upper Secretary, State Of Chhattisgarh, Revenue And Disaster
Management Department, Mahanadi Bhawan, Mantralaya, New
Raipur, District Raipur, Chhattisgarh.
3. Collector, Mahasamund, District Mahasamund, Chhattisgarh.
4. Sub Divisional Officer, Revenue, Saraipali, District Mahasamund,
Chhattisgarh.

---- Respondent

For Petitioner

Shri Raghvendra Pradhan, Advocate.

For Respondents

Shri Adhiraj Surana, Dy. G.A.

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****08/11/2017**

1. Challenge in this petition is to the order dated 14.08.2017 by
which he has been transferred from Tahsil Saraipali, District
Mahasamund to Tahsil Bagbahara on the ground of
administrative exigency.

2. The ground raised by the petitioner is that the impugned order suffers from frequent transfers, because within a short span of 8 months the petitioner has again been transferred, therefore, the impugned order is contrary to the transfer policy framed by the State Government. According to the petitioner, during the probation period he has been transferred from the present place of posting, which is also not at all sustainable in the eyes of law.
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

