

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 6156 of 2017**

- Pushpendra Jamulkar S/o Shatrughan Lal Jamulkar, Aged About 33 Years Assistant Teacher Panchayat, Primary School Thuhadabri, Block Ambagarh Chowki, Civil And Revenue District Rajnandgaon, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary Of Panchayat And Rural Development, Mantralaya, Mahanadi Bhawan, New Mantralaya Raipur, Civil And Revenue District Raipur, Chhattisgarh
2. The Collector, Rajnandgaon, District Rajnandgaon, Chhattisgarh
3. The Director (Public Instructions), Directorate Of Public Instructions, Mahanadi Bhawan, New Mantralaya, Raipur, Civil And Revenue District Raipur, Chhattisgarh
4. The Chief Executive Officer, Janpad Panchayat, Ambagarh Chowki, District Rajnandgaon, Chhattisgarh
5. District Education Officer, Rajnandgaon, District Rajnandgaon, Chhattisgarh

---- Respondent

For Petitioner
For Respondents

Shri Punit Ruparel, Advocate.
Shri Sameer Behar, P.L.

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****29/11/2017**

1. Challenge in this petition is to the order dated 13.10.2017 by

which he has been transferred from Primary School, Thuhadabri to Primary School Kudurghoda on the ground of administrative exigency.

2. The ground raised by the petitioner is that the impugned order has been passed without obtaining their being 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 03 weeks from today and thereafter, the concerned competent authority shall consider and decide the same within the next 7 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