

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 6286 of 2017

- Smt. Khushbu Rai W/o Dr. Manoj Rai, Aged About 28 Years R/o Gram Panchayat Janakpur, Tahsil Bharatpur, District Koriya Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Its Secretary, Through Its Secretary, Panchayat And Rural Development Department, Mantralaya District Raipur Chhattisgarh
2. Chief Executive Officer, Jila Panchayat District Koriya, Baikunthpur Chhattisgarh
3. Chief Executive Officer, Janpad Panchayat Bharatpur District Koriya Chhattisgarh

---- Respondent

For Petitioners
For Respondents

Shri Parag Kotecha, Advocate.
Shri Sangharsh Pandey, Dy. G.A.

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

22/11/2017

1. Challenge in this petition is to the order dated 28.09.2017 by which she has been transferred from Primary School Singroli to Primary School Dudhasi on the ground of administrative exigency.
2. The ground raised by the petitioner is that the respondent No.3 had no jurisdiction to transfer the petitioner. According to the petitioner, there is no complaint against

her and her entire service career is unblemished. The impugned order has been passed only to harass the petitioner because the same has been passed in utter violation of the circulars issued by the Government from time to time as well as the transfer policy.

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 04 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 12 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