

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 6667 of 2017**

- Ganeshiya Singh W/o Shriram Jiyavan, Aged About 34 Years R/o Village Charkhar, Tahsil Bharatpur, District Koriya, Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh 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.
4. Smt. Manisha Gupta, Assistant Teacher, (Panchayat), Primary School Patwahi, Janpad Panchayat Bharatpur, District Koriya, Chhattisgarh.

---- Respondent

For Petitioner

Shri Parag Kotecha, Advocate.

For Respondents/State

Shri Sangharsh Pandey, Dy. G.A.

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****30/11/2017**

1. Challenge in this petition is to the order dated 28.09.2017 by which she has been transferred from Primary School Badwahi to Govt. Kanya Ashram, Badwahi 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