

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 6551 of 2017

- D. L. Khunte S/o Late Shri Fagulal Khunte, Aged About 51 Years Posted As Assistant Engineer (Incharge Sub-Divisional Officer), Janjgir Division, Canal Water Management, Sub Division No.1, Janjgir, District Janjgir-Champa, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Water Resource Department, Mahanadi Bhawan Mantralaya, New Raipur, Chhattisgarh
2. The Engineer-In-Chief, Water Resource Department, Sihawa Bhawan, Raipur, Chhattisgarh
3. The Chief Engineer, Minimata Hasdev Bango Project, Bilaspur, Chhattisgarh
4. The Executive Engineer, Hasdeo Canal Water Management Division, Janjgir, District Janjgir-Champa, Chhattisgarh
5. Shashank Singh, Sub-Engineer, Water Resource Division, Hasdev Canal Water Management Division, Janjgir, District Janjgir-Champa, Chhattisgarh
6. Narayan Chandel, Ex-Vice President, Chhattisgarh Vidhan Sabha, Address Station Chowk, Naila, Janjgir, District Janjgir-Champa, Chhattisgarh

---- Respondent

For Petitioner	Shri Varunendra Mishra, Advocate.
For Respondents/State	Shri Rajendra Tripathi, 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 14.08.2017 by which he has been transferred from Canal Water Management, Sub Division No.1 Janjgir, District Janjgir-Champa (C.G.) to Minimata Bango Canal Sub Division No.17, Bilaspur 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