

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 6353 of 2017

- Smt. Pooja Tiwari W/o Shri Ramesh Dubey, Aged About 28 Years Working As Assistant Teacher (Panchayat) At Govt. Primary School, Machkhanda, Block Masturi, District Bilaspur Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Panchayat And Social Welfare Mahanadi Bhawan, Mantralaya New Raipur District Raipur Chhattisgarh
2. Chief Executive Officer, Janpad Panchayat Masturi, District Bilaspur Chhattisgarh

---- Respondents

For Petitioner	Shri Ajay Shrivastava, Advocate
For Respondent-State	Shri Rajendra Tripathi, PL
For Caveator	Shri Sandeep Singh, Advocate

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

23/11/2017

1. Challenge in this petition is to the transfer order dated, by which the petitioner has been transferred from Govt. Primary School, Machkhanda, Block Masturi, District Bilaspur to Govt. Primary School, Khapri, Belpan on the ground of administrative exigency.
2. The ground raised by the petitioner is that the impugned order has been passed without 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 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 12 weeks or till the representation is decided, whichever is earlier, the petitioner shall be allowed to continue at the present place of posting.
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