

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 6374 of 2017**

- Roshni Tiwari W/o Ashutosh Tiwari, Aged About 37 Years R/o Posted At Government Primary School Choudipara, Gudi, Development Block- Masturi, District Bilaspur, Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Its Secretary, Department Of Panchayat And Rural Development, Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur, Chhattisgarh.
2. Chief Executive Officer, Jila Panchayat Bilaspur, District Bilaspur, Chhattisgarh.
3. Chief Executive Officer, Janpad Panchayat Masturi, District Bilaspur, Chhattisgarh.
4. District Education Officer, Bilaspur, District Bilaspur, Chhattisgarh.

---- Respondent

For Petitioner	Mr. Tarun Dansena, Advocate
For Respondent /State	Mr. R. Tripathi, Panel Lawyer

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****23/11/2017**

(1) Heard.

(2) Challenge in this petition is to the order dated 13.11.2017, by which, the petitioner, who is working on the post of Assistant Teacher (Panchayat) has been transferred from Chodapara Gudi to Jondhra.

(3) The ground raised by the petitioner is that impugned transfer order has been issued contrary to the transfer policy. Earlier, the petitioner was transferred from Chudapara Gudi to Pachpedi vide order dated 21.8.2017, against which, the petitioner preferred a writ petition before this Court. During the pendency of the said writ petition, the said transfer order was cancelled and ultimately, the writ petition was withdrawn. Thereafter, the impugned order has been passed, which according to the petitioner is passed with a malafide intention just to harass her.

(4) 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 her grievance against the impugned transfer order.

(5) 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.

(6) 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.

(7) The writ petition is accordingly disposed of.

(8) 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)