

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 6378 of 2017

- Hemant Kumar Rathore S/o Shri Ramphal Rathore, Aged About 34 Years, Posted At Primary School Hirri, Tehsil Masturi, District Bilaspur, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Panchayat And Rural Development, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur, Chhattisgarh
2. Janpad Panchayat Masturi, Through The Chief Executive Officer Tehsil Masturi, District Bilaspur, Chhattisgarh
3. Block Education Officer, Masturi, District Bilaspur, Chhattisgarh

---- Respondents

For Petitioner	Shri Jitendra Pali, 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 order dated 10.11.2017, by which the petitioner has been transferred from Primary School, Hirri to Primary School, Shivsagar on the ground of administrative exigency.
2. The ground raised by the petitioner is that without serving the order of transfer, the petitioner has been relieved 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, 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