

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 6721 of 2017**

- Dwarika Prasad Rathore S/o Ramadhin Rathore Aged About 33 Years Working As Assistant Teacher (Panchayat) At Government Primary School Bhadora, Tahsil Masturi, District Bilaspur Chhattisgarh.

---- Petitioner

Versus

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

---- Respondent

For Petitioner	Shri R.S. Patel, Advocate.
For Respondents/State	Shri Adhiraj Surana, Dy. G.A.

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****04/12/2017**

1. Challenge in this petition is to the order dated 10.11.2017 by which he has been transferred from Govt. Primary | School Bhadora, Tahsil Masturi, District Bilaspur to Govt. Primary School Manwa, Tahsil Masturi, District 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 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.
5. 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.
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

