

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 6846 of 2017**

- Somaru Ram Solanki S/o Late Shri Supari Ram Solanki, Aged About 39 Years Working On The Post Of Peon At General Nursing And Midwifery Training Centre, Jagdalpur, District Bastar, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Its Secretary, Health Department, Ministry Of Mahanadi Bhawan, New Raipur, P.S. Rakhi, District Raipur, Chhattisgarh
2. Chief Medical And Health Officer, Jagdalpur, District Bastar, Chhattisgarh
3. Principal, Government School Of Nursing, Jagdalpur, District Bastar, Chhattisgarh
4. Block Medical Officer, Community Health Centre, Darbha, District Bastar, Chhattisgarh

---- Respondent

For Petitioner
For Respondents/State

Shri Rakesh Kumar Jha, Advocate.
Shri R.K. Mishra, Dy. A.G.

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****07/12/2017**

1. Challenge in this petition is to the order dated 17.10.2017 by which he has been transferred from General Nursing and Midwifery Centre, Jagdalpur to Community Health Centre Darbha on the ground of administrative exigency.

2. The ground raised by the petitioner is that the transfer order has been passed during the ban period. The petitioner is a Class IV employee and on account of his transfer the petitioner as well as his entire family members shall suffer irreparably.
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 petitioner shall be allowed to continue at their respective place of posting.
6. Accordingly, the writ petition is 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