

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 6809 of 2017

- Abhishek Tiwari S/o Late Shri S. N. Tiwari, Aged About 33 Years
R/o Ward No.13, Near C.C. Church, Nandani Nagar, Police
Station Nandani Tahsil Dhamdha, District Durg Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Its Secretary, Department Of
Agriculture & Bio Technology, Mahanadi Bhawan, Mantralaya,
P.S. and Post Rakhi, New Raipur District Raipur Chhattisgarh
2. Deputy Director, Office Of Deputy Director, Agriculture, Bemetara,
District Bemetara Chhattisgarh

---- Respondents

For Petitioner
For Respondent-State

Shri Abhishek Pandey, Advocate
Shri Ashutosh Pandey, PL

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

06/12/2017

1. Challenge in this petition is to the order dated 14.08.2017, by
which the petitioner has been transferred from Bemetara to
Mahasamund 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 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

Nirala