

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3447 of 2017

1. Sohan Lal Chouhan S/o Late Beniram Chouhan, Aged About 43 Years Working As Assistant Veterinary Field Officer, Raipur, District Raipur, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Veterinary Development Department Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur, Chhattisgarh.
2. Ku. Sapna Gupta, Assistant Veterinary Field Officer, Raikheda, District Raipur, Chhattisgarh.

---- Respondent

For Petitioner
For Respondent/State

Shri Harish Khuntiya, Advocate
Ms. K. Tripti Rao, Panel Lawyer

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

31/10/2017

1. Challenge in this petition is to the order dated 19-6-2017 by which he has been transferred from Kendriya Himikrit Virya Adhikosh, Raipur to Veterinary Hospital, Raikheda, Dist. Raipur on the ground of administrative exigency.
2. The ground raised by the petitioner is that the impugned order is contrary to the transfer policy, as the same has been during the ban period only to accommodate the respondent No.2 in place of the petitioner.

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 12 weeks, in accordance with law and on its own merits.
5. For a period of 16 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

Gowri