

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 6663 of 2017

- Ku. Vicky Singh D/o Shri Rajendra Singh, Aged About 30 Years Working As Asstt. Teacher Panchayat, At Primary School Bhanesar, Block Masturi, District Bilaspur, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Its Secretary, Department Of Panchayat And Rural Development, Mantralaya, Mahanadi Bhawan, Naya Raipur, Chhattisgarh
2. The Chief Executive Officer, District Panchayat Bilaspur, District Bilaspur, Chhattisgarh
3. The Chief Executive Officer, Janpad Panchayat Masturi, District Bilaspur, Chhattisgarh
4. The Block Education Officer, Block Masturi, District Bilaspur, Chhattisgarh
5. Smt. Lopamudra Kaushik, Asstt. Teacher (Panchayat) Primary School Bhanesar, Block Masturi, District Bilaspur, Chhattisgarh

---- Respondent

For Petitioner	Shri Rajesh Kumar Kesharwani, Advocate.
For Respondents/State	Ms K. Tripti Rao, P.L.

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

30/11/2017

1. Challenge in this petition is to the order dated 10.11.2017 by which the petitioner has been transferred from Primary School, Bhanesar to Primary School, Bhatchaura, 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 petitioner shall be allowed to continue at their respective place of posting.
6. All the writ petitions are 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