

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 6665 of 2017**

- Bodhan Patel S/o Shri Ishwer Prasad Patel Aged About 33 Years Occupation Service , Posted As Secretary Of Gram Panchayat Semikot Police Station Baramkela , Civil & Revenue District Raigarh Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary Department Of Panchayat And Rural Development Mantralaya Mahanadi Bhawan Capital Complex New Raipur District Raipur Chhattisgarh.
2. Chief Executive Officer, District Panchayat Raigarh District Raigarh Chhattisgarh.
3. Chief Executive Officer, Janpad Panchayat Baramkela, District Raigarh, Chhattisgarh.
4. Bhagat Ram Sahu Secretary Gram Panchayat Sanda, Janpad Panchayat Baramkela District Raigarh Chhattisgarh.

---- Respondent

For Petitioner	Shri Sunil Sahu, Advocate.
For Respondents/State	Shri Sangharsh Pandey, Dy. G.A.

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****30/11/2017**

1. Challenge in this petition is to the order dated 25.10.2017 by which he has been transferred from Gram Panchayat Semikot to Gram Panchayat Sanda 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 03 weeks from today and thereafter, the concerned competent authority shall consider and decide the same within the next 7 weeks, in accordance with law and on its own merits.
5. For a period of 10 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

