

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 7061 of 2017

- Pradeep Kumar Sen S/o Shri Nand Kumar Sen Aged About 37 Years R/o Ekata Nagar (Thelka Bod Road), Tahsil And District Kanker, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Panchayat & Rural Development, Mahanadi Bhavan, Mantralaya, New Raipur, District Raipur, Chhattisgarh.
2. The Collector, District Kanker, Chhattisgarh
3. District Education Officer, District Kanker, Chhattisgarh
4. Block Education Officer, Block Charama, District Kanker, Chhattisgarh.
5. The Chief Executive Officer, Jila Panchayat Kanker, District Kanker, Chhattisgarh.

---- Respondent

For Petitioner
For Respondents/State

Shri Arun Kochar, Advocate.
Shri R.K. Mishra, Dy. A.G.

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

13/12/2017

1. Challenge in this petition is to the order Annexure P-1 by which petitioner has been transferred from present place of posting to Govt High School Rangawahi, Block Koylabeda.
2. Grounds raised by the petitioner is that the impugned order has been passed in an illegal and arbitrary manner and contrary to the transfer policy issued by the State

Government. The impugned order has been passed without there being any administrative exigency.

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 *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