NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 2564 of 2017

1. B. L. Chandrakar S/o Shri C. L. Chandrakar, Aged About 54 Years In-Charge Executive Engineer, Municipal Corporation, Raipur, District Raipur (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Urban Administration And Development, Mahanadi Bhavan, Mantralaya, New Raipur, District Raipur (Chhattisgarh)

2. State Of Chhattisgarh, Through The Under Secretary, Department Of Urban Administration And Development, Mahanadi Bhawan, Mantralaya, New Raipur, District Raipur (Chhattisgarh)

3. The Municipal Corporation, Raipur, Through : The Commissioner, Municipal Corporation, Raipur, District Raipur (Chhattisgarh)

---- Respondent

For Petitioner	Shri Sudeep Agrawal, Advocate
For Respondent/State	Shri Sameer Behar, PL
For Respondent No.3	Shri H.B. Agrawal, Sr. Adv. With Ms. Prabha Sharma, Advocate

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Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

31/10/2017

1. Challenge in this petition is to the order dated 15-5-2017 by which he has been transferred from Municipal Corporation, Raipur to Municipal Council, Mahasamund.

2. The ground raised by the petitioner is that the impugned order is in violation of Section 58 (5) of the Chhattisgarh Municipal Corporation Act, 1956.

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 interim order passed earlier shall continue.

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