

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3930 of 2017

- Harishankar Chouhan S/o Gopal Prasad Chouhan, Aged About 43 Years R/o L Q - 11, Science College Campus Police Station Amanaka, Raipur, District Raipur Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Panchayat And Rural Development Department, Mahanadi Bhawan, Mantralaya, New Raipur, Chhattisgarh.
2. The Joint Secretary, Government Of Chhattisgarh, Panchayat And Rural Development Department, Mahanadi Bhawan, Mantralaya, New Raipur Chhattisgarh.
3. The Chief Executive Officer, Zila Panchayat, Raipur, District Raipur Chhattisgarh.
4. The Collector, Raipur, District Raipur Chhattisgarh

---- Respondents

For Petitioner	Shri Goutam Khetrapal, Advocate
For Respondent-State	Shri Sangharsh Pandey, Dy. GA

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

22/11/2017

1. Challenge in this petition is to the order dated 11.08.2017, by which the petitioner has been transferred from Raipur to Jashpur on the ground of administrative exigency.
2. The ground raised by the petitioner is that the impugned order has been passed without 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 4 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