

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 4731 of 2017

1. Ajay Pathak S/o Late Guneshwar Pathak, Aged About 46 Years R/o Rajendra Nagar Ward, Jagdalpur District Bastar Chhattisgarh. Civil & Revenue District Bastar

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Revenue Department, Mantrayala, Raipur, (Chhattisgarh)
2. The Collector, Jagdalpur, District Bastar Chhattisgarh.
3. The Sub Divisional Officer (Revenue), Jagdalpur, District Bastar Chhattisgarh.
4. Bahadur Singh Nag, (Patwari), Patwari Halka No. 19, Nangur, District Bastar Chhattisgarh.

---- Respondent

For Petitioner
For Respondent/State

Shri Vikash A. Shrivastava, Adv.
Ms. K. Tripti Rao, Panel Lawyer

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

10/11/2017

1. Challenge in this petition is to the order dated 14.08.2017 by which he has been transferred from PH No.11 Frezarpur to PH No.19 Nangur on the ground of administrative exigency.
2. The ground raised by the petitioner is that the Sub Divisional Officer (Revenue) has no authority or

jurisdiction to transfer the Patwari, as the transfer policy authorised only the Collector and not the SDO (R).

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 08 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

Gowri