

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 5485 of 2017

- Radhelal Jaiswal, S/o Late Shri Mahajan Jaiswal, Aged About 52 Years, Presently Posted as Block Resource Person, Block Kasdol, District Balodabazar Bhatapara, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Department Of School Education, Mahanadi Bhawan, Naya Raipur, Raipur, Chhattisgarh
2. Under Secretary, Department Of School Education, Mahanadi Bhawan, Naya Raipur, Chhattisgarh.
3. The Collector, District Balodabazar Bhatapara, Chhattisgarh
4. Chief Executive Officer Cum District Project Director, Rajeev Gandhi Shiksha Mission, Balodabazar Bhatapara Chhattisgarh.

---- Respondents

For Petitioner	Shri Amrito Das, Advocate
For Respondent-State	Shri Rajendra Tripathi, PL

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

14/11/2017

1. Challenge in this petition is to the order dated 13.09.2017, by which the petitioner has been transferred from Block Resource Centre, Block Kasdol to Minimata Government School, Kasdol on the ground of administrative exigency.
2. The ground raised by the petitioner is that the impugned order has been passed 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

Nirala