

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 5520 of 2017

- Ahmed Ali Rizvi S/o Shri Barkat Ali Rizvi Aged About 52 Years Working As Revenue Inspector, Raipur, Rural, Mana, Tahsil Raipur, District Raipur, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Revenue And Disaster Management, Mantralaya, Naya Raipur, District Raipur, Chhattisgarh.
2. Collector, District Raipur Chhattisgarh.

---- Respondent

For Petitioner
For Respondents/State

Shri Jitendra Pali, Advocate.
Shri A. Pandey, P.L

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

24/10/2017

1. Challenge in this petition is to the order dated 14.08.2017 by which he has been transferred from District Raipur to District Bastar on the ground of administrative exigency.
2. The ground raised by the petitioner is that the impugned order has been passed without obtaining prior approval from the competent authority and as such the same is in violation of the transfer policy. Learned counsel would submit that the petitioner is suffering from heart ailment.

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 03 weeks from today and thereafter, the concerned competent authority shall consider and decide the same within the next 7 weeks, in accordance with law and on its own merits.
5. For a period of 10 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