

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 5560 of 2017**

- Priya Diwan W/o Late Arun Diwan, Aged About 43 Years Working As Accountant Grade-II At Directorate, Higher Education, Raipur, R/o Rohnipuram, Raipur Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Its Secretary Department Of Higher Education, Mahanadi Bhawan, New Raipur.
2. Commissioner, Higher Education, Directorate Of Higher Education, Science College Campus, Raipur Chhattisgarh.
3. Additional Director, Regional Office, Department Of Higher Education, Bilaspur Chhattisgarh.
4. Collector, Bilaspur, District Bilaspur Chhattisgarh.

---- Respondent

For Petitioner : Smt. Astha Shukla, Advocate.
 For Respondents : Miss Tripti Rao, Panel Lawyer.

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****25/10/2017**

1. Learned counsel for the petitioner would submit that by order (Annexure-P/2) dated 1.7.2011, the petitioner has been promoted from the post of Assistant Grade-II to the post of Accountant Grade-II, however, by the impugned order, she has been transferred on administrative ground to work against the post of Assistant Grade-II, therefore, the impugned order has the effect of reverting the petitioner to a lower post.
2. In view of the order (Annexure-P/2), the submission made by learned

counsel for the petitioner appears to be prima facie convincing. However, the issue being one concerning transfer on account of administrative exigency, instead of keeping this petition pending, it is disposed of with a direction that in the event the petitioner prefers a representation before the competent authority within a period of 3 weeks from today, the said authority shall consider and decide the representation at the earliest preferably within a period of 3 months from the date of submission of representation. Till the petitioner's representation is decided, the impugned transfer order shall remain in abeyance and the petitioner shall be allowed to continue at her present place of posting.

3. However, it is made clear that this Court has not expressed any opinion on the merits of the case and the respondent authorities would be at liberty to pass appropriate order while deciding the representation, in accordance with law.

Sd/-
Judge
(Prashant Kumar Mishra)

Barve