

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 5689 of 2017**

- Akash Dubey S/o Late Shri C. L. Dubey Aged About 30 Years Presently Posted As Assistant Grade Iii, Directorate Of Higher Education Government Science College Compound Raipur Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Higher Education, Mahanadi Bhavan, Naya Raipur, Raipur Chhattisgarh
2. Under Secretary, Department Of Higher Education, Mahanadi Bhavan, Naya Raipur Chhattisgarh
3. Director, Directorate Of Higher Education, Government Science College Compound, Raipur Chhattisgarh

---- Respondent

For Petitioner	Shri Amrito Das, Advocate.
For Respondents/State	Shri Adhiraj Surana, Dy. G.A.

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****01/11/2017**

1. Challenge in this petition is to the order dated 11.10.2017 by which he has been transferred from District Directorate Higher Education, Raipur to Regional Office, Surguja, at Ambikapur, District Surguja on the ground of administrative exigency.
2. The ground raised by the petitioner is that the impugned order of transfer is in violation of the transfer policy as the

same has been made during the ban period and the petitioner has been transferred without there being any administrative exigency.

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 01 month 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 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

Akhilesh