

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 5806 of 2017**

- Rameshwar Sinha S/o Shri Rambharos Sinha, Aged About 54 Years Head Master, Presently Working At Govt. Middle School Surhi, Block Narharpur, District Kanker, Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through: The Secretary, School Education Department, Mahanadi Bhawan, New Raipur, Chhattisgarh.
2. Principal, Govt. Middle School Surhi, Block Narharpur, District Kanker, Chhattisgarh.

---- Respondent

For Petitioner	Mr. Somkant Verma, Advocate
For Respondent /State	Mr. Ashutosh Pandey, Panel Lawyer

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****3/11/2017**

(1) Heard.

(2) Challenge in this petition is to the order dated 14.8.2017, by which, he has been transferred from District Kanker to District Bijapur on administrative grounds.

(3) The ground raised by the petitioner is that the petitioner being the District Secretary of *Chhattisgarh Tiritiya Varg Karmchari Sangh*, he should not have been transferred for a period of 3 years. According to the petitioner, the impugned order has been passed contrary to the transfer policy and the circular issued by the General Administration Department. Further, the petitioner, who is working on the post of

Head Master, has been transferred to Bijapur, but no other person is posted in his place.

(4) 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.

(5) 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 8 weeks, in accordance with law and on its own merits.

(6) 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.

(7) The writ petition is accordingly disposed of.

(8) 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)

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