

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 5934 of 2017**

- Devi Prasad Shrivastava S/o Shri Baisakhu Ram Shrivastava, Aged About 47 Years Presently Posted As Panchayat Secretary, At Village Boiraha, Janpad Panchayat Lormi, District Mungeli, Chhattisgarh. R/o Village Pajaniya, Tahsil Lormi, District Mungeli, Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Panchayat And Rural Development Department, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur, Chhattisgarh.
2. Collector, Mungeli, District Mungeli, Chhattisgarh.
3. Chief Executive Officer, Zila Panchayat Mungeli, District Mungeli, Chhattisgarh.
4. Sub Divisional Officer (Revenue) Lormi, District Mungeli, Chhattisgarh.
5. Chief Executive Officer, Janpad Panchayat Lormi, District Mungeli, Chhattisgarh.
6. Sarpanch, Gram Panchayat Boiraha, Janpad Panchayat Lormi, District Mungeli, Chhattisgarh.
7. Bisauha Ram Yadav, Panchayat Secretary, Gram Panchayat Katami, Janpad Panchayat Lormi, District Mungeli, Chhattisgarh.

---- Respondent

For Petitioner	Shri Faisal Akhtar, Advocate.
For Respondents/State	Shri Sameer Behar, P.L.

Order On Board**09/11/2017**

1. Challenge in this petition is to the order dated 15.09.2017 by

which he has been transferred from Gram Panchayat Boiraha to Gram Panchayat Bandhawa on the ground of administrative exigency.

2. The ground raised by the petitioner is that the impugned order suffers from frequent transfers as within a short span of one year, the petitioner has again been transferred.
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

Akhilesh