

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 6293 of 2017

- Girwar Yadav S/o Late Laxman Prasad, Aged About 43 Years
Secretary Of Gram Panchayat Jokapath, Janpad Panchayat
Shankargarh, District Balrampur Ramanujganj Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Panchayat And Rural
Development Department, Mahanadi Bhawan, New Mantralay
District Raipur Chhattisgarh
2. The Collector, Balrampur Ramanujganj Chhattisgarh
3. Deputy Director, District Panchayat Balrampur, District Balrampur
Ramanujganj Chhattisgarh
4. The Chief Executive Officer, Janpad Panchayat Shankargarh,
District Balrampur Ramanujganj Chhattisgarh
5. Mahesh Ram, Panchayat Secretary, Gram Panchayat Durgapur,
Janpad Panchayat Shakargarh, District Balrampur Ramanujganj
Chhattisgarh

---- Respondent

For Petitioner
For Respondents

Shri Sunil Tripathi, Advocate.
Shri Sameer Behar, P.L.

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

22/11/2017

1. Challenge in this petition is to the order dated 31.10.2017 by
which he has been transferred from Gram Panchayat Jokapath
to Gram Panchayat Durgapur on the ground of administrative
exigency.

2. The ground raised by the petitioner is that the petitioner has been transferred without assigning any reason which is not at all sustainable in the eye of law. The petitioner has been transferred from the present place of posting 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 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.
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