

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 6350 of 2017

- Hitendra Kumar Bambode S/o Shri Madhav Roa Bambode, Aged About 30 Years R/o Khan Badi Talapara Bilaspur Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary Department Health And Family Welfare, Mantralaya, Mahanadi Bhawan, Naya Raipur District Raipur Chhattisgarh
2. Controller, Food And Drug Administration Chhattisgarh, Naya Raipur District Raipur Chhattisgarh
3. Smt. Pratima Rajput, Office Of The Deputy Director, Food And Drug Administration Janjgir Champa Chhattisgarh

---- Respondent

For Petitioner
For Respondent-State

Shri Jitendra Pali, Advocate
Shri Rajendra Tripathi, PL

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

23/11/2017

1. Challenge in this petition is to the order dated 12.08.2017, by which the petitioner has been transferred from Janjgir-Champa to Jagdalpur on the ground of administrative exigency.
2. The ground raised by the petitioner is that the representation of the petitioner has not yet been decided, which is against the transfer policy issued by the State Government.

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

Nirala