

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 6417 of 2017**

- Ajay Kumar Tamrakar S/o Shri Pratap Kumar Tamrakar Aged About 35 Years Working As Assistant Teacher (Panchayat) At Government Primary School Banibhatha (Pondi) Block Musturi District Bilaspur Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Department Of Panchayat And Social Welfare, Mahanadi Bhawan Mantralaya, New Raipur, District Raipur (Chhattisgarh).
2. Chief Executive Officer, Janpad Panchayat Masturi, District Bilaspur Chhattisgarh.

---- Respondent

For Petitioner : Shri Vinod Deshmukh, Advocate.
 For Respondent/State : Shri Rajendra Tripathi, Panel Lawyer.

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****30/11/2017**

1. Challenge in this petition is to the order Annexure-P/1, by which the petitioner has been transferred from Govt. Primary School, Banibhatha (Pondi), Block Masturi, District Bilaspur to Govt. Primary School, Gidhpuri on the ground of administrative exigency.
2. The ground raised by the petitioner is that the impugned order has been passed without any administrative exigency and as such the same is in violation of the transfer policy issued by the State Government.
3. Considering the entire fact 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 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)