

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 6507 of 2017

- Virendra Kumar Kaushik S/o Shri Bhanupratap Kaushik, Aged About 34 Years, Working As Assistant Teacher (Panchayat), Govt. Primary School, Seepat Block Masturi, District Bilaspur Chhattisgarh

---- Petitioner

Versus

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

---- Respondent

For Petitioner	Shri Ajay Shrivastava, Advocate
For Respondent-State	Shri Ashutosh Pandey, PL

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

28/11/2017

1. Challenge in this petition is to the transfer order, by which the petitioner has been transferred from Govt. Primary School, Seepat, Block Masturi, District Bilaspur to Govt. Primary School, Tikrapara, Sarseni 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, as such the same is in violation of 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