

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 6544 of 2017**

- Smt. Usha Upadhyay W/o Sanjay Upadhyay, Aged About 48 Years Working As Assistant Teacher (Panchayat) at Govt. Girls Primary School Nargoda, Block Masturi, 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 Ajay Shrivastava, Advocate.
For Respondents/State	Shri Sameer Behar, P.L.

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****29/11/2017**

1. Challenge in this petition is to the order Annexure-P1 by which she has been transferred from Govt. Primary School, Nagroda to Govt. Primary School, Pachpedi on the ground of administrative exigency.
2. The ground raised by the petitioner is that the impugned order has been passed in the mid session and only four months are remaining for completion of the present academic session. In case the petitioner is transferred the

education of the children will affect adversely.

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