

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 6661 of 2017

- Sushil Kumar Anant S/o Shri Hansram Anant, Aged About 42 Years Occupation Assistant Teacher Panchayat, Govt. Primary School Juhli, R/o Village Juhli Block Masturi, Police Station Masturi District Bilaspur, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Secretary, Panchayat Gramin Vikas Vibhag, Mantralaya Naya Raipur, Chhattisgarh
2. Director, Panchayat Sanchalanalaya, Indrawati Bhawan, Naya Raipur, Chhattisgarh
3. Chief Executive Officer, Zila Panchayat Bilaspur, District Bilaspur, Chhattisgarh
4. Chief Executive Officer, Janpad Panchayat Masturi, District Bilaspur, Chhattisgarh
5. Collector, Bilaspur, District Bilaspur, Chhattisgarh
6. Block Education Officer, Bilaspur, District Bilaspur, Chhattisgarh
7. Block Education Officer, Karyalaya Vikaskhand Shiksha Adhikari, Masturi, District Bilaspur, Chhattisgarh

---- Respondent

For Petitioner
For Respondents/State

Shri Abdul Wahab Khan, Advocate.
Ms K. Tripti Rao, P.L.

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

30/11/2017

1. Challenge in this petition is to the order dated 13.11.2017 by which he has been transferred from Primary School Juhli to Primary School Manwa on the ground of administrative exigency.
2. The ground raised by the petitioner is that the petitioner has been transferred from the present place of posting without there being any administrative exigency. The daughter of the petitioner is physically disabled person and she requests proper care.
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