

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 6727 of 2017

- Jaypal Prasad Sahu S/o Shri Gangaram Sahu Aged About 56 Years Occupation Sahayak Shiksak Panchayat Govt. Primary School Parsahi R/o Village Parsahi Block Masturi Police Station Masturi District Bilaspur Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary Panchyat, Gramin Vikas Vibhag, Mantralaya, Naya Raipur, Chhattisgarh.
2. Sanchalak Panchayat Sanchalnalaya Chhattisgarh Indravati Bhawan, Naya Raipur, Chhattisgarh
3. Chief Executive Officer, Jila Panchayat Bilaspur, District Bilaspur, Chhattisgarh.
4. Chief Executive Officer, Janpad Panchayat Masturi, District Bilaspur, Chhattisgarh.
5. Collector, Bilaspur, District Bilaspur, Chhattisgarh.
6. District Education Officer, Bilaspur, District Bilaspur, Chhattisgarh.
7. Block Education Officer, Office Block Education Officer Masturi, District Bilaspur, Chhattisgarh.

---- Respondent

For Petitioner
For Respondent-State

Shri R. K. Patel, Advocate
Shri Sameer Behar, PL

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

05/12/2017

1. Challenge in this petition is to the order dated 13.11.2017, by which the petitioner has been transferred from Dhaniya to Pachpedi 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 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