

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 6732 of 2017

- Ramdin Ram S/o Somaru Ram Aged About 44 Years Presently Posted And Working As Panchayat Secretary, Gram Panchayat Parti, Janpad Panchayat Rajpur, District Balrampur Ramanujganj Chhattisgarh.....

R/o Village Uliya, Police Station Pasta, Tahsil Rajpur, District Balrampur Ramanujganj Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Panchayat And Rural Development, Mahanadi Mantralaya, Naya Raipur, Post Office And Police Station Naya Raipur, District Raipur Chhattisgarh.
2. Collector, Balrampur Ramanujganj Chhattisgarh.
3. Chief Executive Officer, Zila Panchayat Balrampur Ramanujganj Chhattisgarh.
4. Deputy Director (Panchayat), Balrampur, Ramanujganj Chhattisgarh.
5. Chief Executive Officer, Janpad Panchayat, Rajpur, District Balrampur Ramanujganj Chhattisgarh.

---- Respondents

For Petitioner
For Respondent-State

Shri Jitendra Shrivastava, Advocate
Ms. K. Tripti Rao, PL

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

05/12/2017

1. Challenge in this petition is to the order dated 16.11.2017, by which the petitioner has been transferred from Parti to Badoli on the ground of administrative exigency.

2. The ground raised by the petitioner is that the impugned order has been passed without there being 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