

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 6800 of 2017

- Tulsiram Shrivastava S/o Late Shri Ramadhar Shrivastava, Aged About 36 Years Occupation- Assistant Teacher(Panchayat), Govt. Primary School Bazarpara, Seepat, R/o Village Bazarpara, Seepat, Block Masturi, Thana Seepat, District Bilaspur, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Gramin Vikas Vibhag, Mantralaya, Naya Raipur, Chhattisgarh.
2. Director, Panchayat, Directorate, Chhattisgarh, Indravati 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. District Education Officer, Bilaspur, District Bilaspur, Chhattisgarh.
7. Block Education Officer, Office Of The Block Education Officer, Masturi, District Bilaspur, Chhattisgarh.

---- Respondent

For Petitioner	Shri Rajendra Kumar Patel, Advocate.
For Respondents/State	Shri Sameer Behar, P.L.

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

06/12/2017

1. Challenge in this petition is to the order dated 13.11.2017 by which he has been transferred from Govt. Primary School Bazarpara Seepat to Primary School Sahu Mohalla, Okhar on the ground of administrative exigency.
2. The ground raised by the petitioner is that the impugned order has been passed during the Mid Academic Session and hence the studies of the students will suffer 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