

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 7086 of 2017

- Smt. Preeti Chhabda W/o Late Preetam Chhabda, Aged About 46 Years Presently Working At Assistant Teacher (Panchayat), Govt. Primary School, Navadih, Block Masturi, District Bilaspur Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department of Panchayat and Rural Development, Mahanadi Bhawan, Mantralaya, New Raipur, District Raipur, Chhattisgarh.
2. District Panchayat, Bilaspur Through Its Chief Executive Officer, District Bilaspur Chhattisgarh.
3. Block Education Officer, Block Masturi, District Bilaspur Chhattisgarh.

---- Respondents

For Petitioner
For Respondent-State

Shri S. K. Sahu, Advocate
Shri Rajendra Tripathi, PL

Hon'ble Justice Shri Prashant Kumar Mishra

Order On Board

13/12/2017

1. Challenge in this petition is to the transfer order, by which the petitioner has been transferred from Navadih to Kewantara 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