

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 6845 of 2017**

- V. K. Ormalia S/o Shri A. R. Bhagat, Aged About 50 Years Presently Posted As Executive Engineer, Public Health And Engineering Department, Divison Surguja At Ambikapur, R/o Vasundhra Vihar, Godhanpur, Ambikapur, District Surguja, Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Public Health And Engineering Department, Mahanadi Bhawan, Naya Raipur, District Raipur, Chhattisgarh.
2. Engineer In Chief, Public Health And Engineering Department, Indrawati Bhawan, Naya Raipur, District Raipur, Chhattisgarh.
3. Chief Engineer, Public Health And Engineering Department, Bilaspur Region At Bilaspur, District Bilaspur, Chhattisgarh.
4. Superintending Engineer, Public Health And Engineering Department, Circle- Ambikapur, District Surguja, Chhattisgarh.
5. Pradeep Xalxo, Executive Engineer, Public Health And Engineering Department, Division Bijapur, District Bijapur, Chhattisgarh.

---- Respondent

For Petitioner

Shri A.K. Prasad, Advocate.

For Respondents/State

Shri R.K. Mishra, Dy. A.G.

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****07/12/2017**

1. Challenge in this petition is to the order dated 28.11.2017 by which he has been transferred from PHE Ambikapur to PHE Jagdalpur (as is apparent from Annexure P-1 Page No.9 of the petition) on the ground of administrative exigency.
2. The ground raised by the petitioner is that the impugned order has been passed without obtaining their 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 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