

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 7127 of 2017**

- Akhilesh Kumar Sharma S/o Shri Ghanshyam Prasad Sharma, Aged About 27 Years Occupation- Assistant Teacher(Panchayat), Primary School Kosamdih, Sankul Masturi, R/o Village Kosamdih, Masturi, Thana Masturi, Block Masturi, Thana Seepat, District Bilaspur, Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Panchayat And Gramin Vikash Vibhag, Mantralaya, Naya Raipur, Chhattisgarh.
2. Director, Directorate, Chhattisgarh Indrawati Bhawan, Naya Raipur, Chhattisgarh.
3. Chief Executive Officer, District 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, Block Masturi, District Bilaspur, Chhattisgarh.

---- Respondent

For Petitioner
For Respondents

Shri Abdul Wahab Khan, Advocate.
Shri Sameer Behar, P.L.

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****14/12/2017**

1. Challenge in this petition is to the order dated 13.11.2017 by which he has been transferred from Primary School,

Kosamdih to Primary School, Pataidih.

2. Ground raised by the petitioner is that the impugned transfer order has been passed in an illegal and arbitrary manner and the authorities without appreciating the facts and circumstances of the case in its true perspective the petitioner has been declared as surplus.
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