

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 6991 of 2017

- P.S. Baghel S/o Late Shri Phatebahadur Singh Aged About 54 Years Posted As Sub Engineer, At Public Health Engineering, Sub Division, Manendragarh, District Koriya R/o In Front Of Kirodimal Petrol Pump, Ambikapur Road Manendragarh District Koriya Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Public Health Engineering Department, Mantralaya, Mahanadi Bhawan, Naya Raipur District Raipur Chhattisgarh.
2. Engineer In Chief, Public Health Engineering, Chhattisgarh, Indravati Bhawan, New Raipur Chhattisgarh
3. Chief Engineer, Public Health Engineering, Bilaspur, District Bilaspur Chhattisgarh,
4. Superintendent Engineer, Public Health Engineering, Division, Ambikapur, District Ambikapur Chhattisgarh.
5. Executive Engineer, Public Health Engineering, Baikunthpur Dist Koriya Chhattisgarh.

---- Respondents

For Petitioner
For Respondent-State

Shri Mateen Siddiqui, Advocate
Shri Ashutosh Pandey, PL

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

11/12/2017

1. Challenge in this petition is to the order dated 11.08.2017, by which the petitioner has been transferred from Manendragarh, District Koriya to Jagdalpur, District Bastar 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