

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 425 of 2018**

Koustubh Pandey Son Of Shri Ramkumar Pandey, Aged About 31 Years Occupation Assistant Teacher Panchayat, Govt. Primary School Lofani, R/o Village Lofandi, Tahsil Bilha, District Bilaspur, Chhattisgarh., Chhattisgarh ---- **Petitioner**

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Panchayat And Rural Development, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur, Chhattisgarh., Chhattisgarh
2. Director, Panchayat, Directorate, Chhattisgarh, Indravati Bhawan, Naya Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
3. Chief Executive Officer, Zila Panchayat Bilaspur, District Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh
4. Chief Executive Officer, Janpad Panchayat Bilha, District Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh
5. Collector, Bilaspur, District Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh
6. District Education Officer, Bilaspur, District Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh
7. Block Education Officer, Office- Block Education Officer, Bilha, District Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh**Respondents**

For Petitioner	:	Mr. Abdul Wahab Khan, Advocate
For State/respondents No. 1,2,5 6 & 7	:	Mr. A.S. Kachhawaha, Additional A.G.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board**17.01.2018**

Heard.

1. The order of transfer is under challenge on the ground that the petitioner has been declared as surplus though number of employees junior to him are still posted in the same institution. According to the petitioner, neither any objections were invited nor the objections were submitted, were considered and the petitioner has been singled out against the policy.

He would submit that the similar issue came up for consideration in WPS No.7127 of 2017 in which directions have been issued on 14.12.2017 to examine the objection and decision and a limited protection of status quo has been granted. Therefore, the petitioner may also be granted the similar relief.

3. Learned counsel for the State would submit that looking to the interest of educational session, direction may be confined for a limited period for consideration.

4. Accordingly, the petition is disposed off with liberty to the petitioner in case the petitioner prefers representation within a period of 10 days from today, the same shall be examined and order be passed within 20 days from the date of submission of representation. For a period of 30 days, status quo as exists today, in respect of the petitioner's posting, shall be maintained.

5. It is made clear that this Court has not expressed any opinion on the merits of the case and the authority 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/-

(Manindra Mohan Shrivastava)
Judge

Rekha