

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 1329 of 2018

Latel Singh Thakur S/o S/o Shri Bhagwan Singh Thakur, Aged About 55 Years
Occupation, Assistant Teacher Panchayat, Janpad Primary School Basha R/o
Village Basha Vikashkhand Bilha District Bilaspur (Chhattisgarh), District :
Bilaspur, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Sachiv, Panchayat Gramin Vikash Vibhag,
Mantralay, Naya Raipur (Chhattisgarh), District : Raipur, Chhattisgarh
2. Sanchalak, Panchayat Sanchalnalay Chhattisgarh, Indrawati Bhawan, Naya
Raipur (Chhattisgarh), District : Raipur, Chhattisgarh
3. Chief Executive Officer, Jila 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, Karyalay Vikashkhand Shiksha Adhikari Bilha District
Bilaspur (Chhattisgarh), District : Bilaspur, Chhattisgarh

---- Respondents

Shri Rajendra Kumar Patel, counsel for the petitioner/s.
Shri Majid Ali, Dy.G.A. for the State.

Hon'ble Shri Justice P. Sam Koshy

Order On Board

09/02/2018

Challenge in this petition is to the order dated 12.12.2017 by which he has
been transferred from Primary School, Basaha to Primary School, Mangla, Awaspara

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 off.

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/-
(P. Sam Koshy)
Judge**