

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 7349 of 2017

Jaiprakash Kashyap Son Of Shri Mahavir Kashyap, Aged About 30 Years
Occupation- Assistant Teacher(Panchayat), Primary School Sonsari, Sankul
Loharsi, R/o Village Sonsari, Thana Masturi, District Bilaspur, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Rural Development, Mantralaya, Naya Raipur, Chhattisgarh.
2. Director, 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.

---- Respondents

Shri Rajendra Kumar Patel, counsel for the petitioner/.
Shri Dhiraj Wankhede, Govt. Advocate for the State.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

02/01/2018

Challenge in this petition is to the order dated 13.11.2017 by which he has been transferred from Govt. Primary School, Sonsari to Primary School, Bhhadaha on the ground of administrative exigency.

2. The ground raised by the petitioner is that the impugned order has been passed during the Mid Academic Session and hence the studies of the students will suffer adversely. 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/-

(Manindra Mohan Shrivastava)
Judge