

NAFR

HIGH COURT of CHHATTISGARH, BILASPUR**Writ Petition (S) No.2149 of 2018**

Mahesh Kumar Yadav S/o Shri Rikhiram Yadav Aged About 46 Years
By Post Lecturer (Panchayat) Posted At Govt. High School Jhara,
Block Baghbahra, Zila Panchayat And District Mahasamund,
Chhattisgarh.

----Petitioner**Versus**

1. State Of Chhattisgarh Through Awar Sachiv (Under Secretary)
Department Of Panchayat Evam Gramin Vikas Mahanadi Bahavan
New Raipur, Chhattisgarh, District : Raipur, Chhattisgarh
2. The Commissioner, Raipur, District Raipur, Chhattisgarh.
3. The Collector, Mahasamund, District Mahasamund, Chhattisgarh.
4. The Chief Executive Officer (CEO) Zila Panchayat Mahasamund, District
Mahasamund, Chhattisgarh.
5. The Block Education Officer (BEO) Block Baghbahra, District
Mahasamund, Chhattisgarh.

---- Respondents

For petitioner	:	Shri JA Lohani, Advocate.
For respondent-State	:	Shri Shashank Thakur, G.A.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****19.03.2018.**

1. Heard.
2. The petitioner has filed this petition assailing correctness and validity
of transfer order dated 17.01.2018. Initially a notice was issued by
this Court and interim protection was granted to the petitioner taking
into consideration acute frequency of transfer.
3. Mr. Shashank Thakur, Govt. Advocate, raises an objection with
regard to the maintainability of the petition by submitting that the
order impugned could be challenged by filing an appeal before the
competent authority as provided under the Chhattisgarh Panchayats
(Appeal and Revision) Rules, 1995 (for short "the Rules of 1995").

4. The petitioner has challenged the transfer order on the ground of it being very frequent. This was appreciated and interim protection was granted to the petitioner.
5. However, considering that there exists an alternative remedy of filing an appeal under the Rules of 1995 and this is only a case of transfer, this court is inclined to dispose of the matter with liberty to the petitioner to file an appeal as provided under the Rules of 1995. For a period of three weeks, the petitioner shall not be disturbed.

Sd/-
(P.Sam Koshy)
Judge

inder