

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 2691 of 2018**

Smt. Sudha Upadhyay W/o Shri Neeraj Upadhyay Aged About 29 Years Occupation- Shahayak Shikshak Panchayat, R/o Gram, Umariya, Tahsil Bilha, District Bilaspur Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Panchayat, Gramin Vikas Vibhag, Mantralay Naya Raipur Chhattisgarh.
2. Sanchalak, Panchayat Sanchalnalay Chhattisgarh, Indrawati Bhawan, Naya Raipur Chhattisgarh., District : Raipur, Chhattisgarh
3. Mukhya Karyapalan Adhikari, Jila Panchayat Bilaspur District Bilaspur Chhattisgarh.
4. Mukhya Karyapalan Adhikari, Janpad Panchayat Bilha District Bilaspur Chhattisgarh.
5. Collector, Bilaspur, District Bilaspur Chhattisgarh.
6. Jila Shiksha Adhikari, Bilaspur, District Bilaspur Chhattisgarh.
7. Vikash Khand Shiksha Adhikari, Karyalay Vikashkhand Shiksha Adhikari Bilha District Bilaspur Chhattisgarh.

----Respondents

For Petitioner	:	Mr. Rajendra Kumar Patel, Advocate
For State	:	Mr. Dheeraj Wankhede, G.A.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****28/03/2018**

1. Challenge in this petition is to the order dated 12.12.2017 by which he has been transferred from Govt. Primary School, Umariyapara to Primary School, Amerikapa.
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 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. Till the representation is decided, 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/-
(P. Sam Koshy)
Judge