

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 3905 of 2018**

Yashwant Kumar Choudhary, S/o Shri Mohanlal Choudhary, Aged About 30 Years, By Post- Teacher (Panchayat), Posted At Government Middle School-Lanti, Block Saraipali, Zila Panchayat Mahasamund, District Mahasamund Chhattisgarh.

---- Petitioner

Versus

1. State of Chhattisgarh, Through The Secretary, Department of Panchayat Mahanadi Bhavan, New 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, Di, District : Mahasamund, Chhattisgarh
5. The Block Education Officer, (BEO) Block Saraipali, District Mahasamund Chhattisgarh.

---- Respondents

For Petitioner	:	Shri Jameel Akhtar Lohani, Advocate.
For Respondent/State	:	Shri Wasim Miyan, Panel Lawyer.

Hon'ble Shri Prashant Kumar Mishra**Order on Board****23.05.2018**

1. Challenging in this petition is to the order dated 04.07.2017, by which the petitioner has been transferred from Govt. Middle School-Lati to Govt. Middle School-Pandripani on the ground of administrative exigency.
2. The ground raised by the petitioner is that the impugned order has been passed without any administrative exigency and as such the same is in violation of the transfer policy issued by the State Government.
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 15 days from today and thereafter, the concerned competent authority shall consider and decide the same within the next 6 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/-

(Prashant Kumar Mishra)
Vacation Judge