

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****WPS No. 9324 of 2019**

- Birendra Singh S/o Shri Jagannath Singh Aged About 50 Years Working As Panchayat Secretary, District : Jashpur, Chhattisgarh

**---- Petitioner****Versus**

1. State of Chhattisgarh Through The Secretary, Panchayat And Rural Development, Department, Mahanadi Bhawan, New Raipur, Chhattisgarh
2. Chief Executive Officer Zila Panchayat Jashpur, District : Jashpur, Chhattisgarh
3. Dy. Director Panchayat Jashpur, District : Jashpur, Chhattisgarh

**---- Respondents**


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For Petitioner : Mr. Somkant Verma, Advocate

For Respondents/ State : Ms. Richa Shukla, Dy. G.A.

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**Hon'ble Shri Justice Goutam Bhaduri****Order On Board****15/11/2019**

1. The grievance of the petitioner is that the petitioner is transferred by an order dated 06.09.2019 from Village-Bagiya/Kansabel to Village-Bodokachhar/Kunkuri. Subsequently, a transfer order dated 07.09.2019 has been passed and the place of posting has been changed to Farasatoli/Pathhalgaon.
2. It is contended that the said transfer has been made in the ban period and out of the district and according to the policy, from 12.07.2019 to 14.08.2019, there would be a complete ban on the transfer, the transfer could have been made within district, and it has been made between period of 20<sup>th</sup> June, 2019 to 12<sup>th</sup> July, 2019 with the approval of the Minister by the Collector. It is contended that the said transfer is made at the ban period of

transfer.

3. Perused the documents. Considering the fact that the transfer has been made on 07.09.2019, the petitioner shall be at liberty to make a representation before the respondent No.2, with all the relevant documents and pleading within a period of three weeks from the date of receipt of a copy of this order and the representation so made shall be decided within a further period of 45 days. Till then, the transfer in respect of the petitioner shall not be given effect to, if it has not been carried out till date.
4. The writ petition accordingly stands disposed of.

Sd/-  
**(Goutam Bhaduri)**  
Judge

*Yasmin*