

## **WP-5812-2016**

*(SMT. KISMAT SAHNI Vs THE STATE OF MADHYA PRADESH)*

**31-03-2016**

Shri Rajmani Mishra, learned counsel for the petitioner.  
Smt. Shahin Fatima, learned G.A. for the respondents/state.  
Heard.

The petitioner has filed the present petition challenging the order dated 16.3.2016, by which services of the petitioner has been transferred from Bhopal to Burhanpur.

Learned counsel for the petitioner submits that the petitioner has been transferred thrice within a short span of three years. Being aggrieved by the said transfer order, the petitioner has submitted a representation Annexure P/8 to respondent no.2, the same is pending for consideration. Therefore, prays for an appropriate direction may be issued to respondent no.2 to consider and decide the representation submitted by the petitioner within a stipulated time period, by a speaking order.

Learned Government Advocate appearing on behalf of respondents submitted that the representation submitted by the petitioner shall be considered and decided by respondent no.2 in accordance with the transfer policy issued by the State Government.

In view of aforesaid submissions made by the learned counsel for the parties, the petition filed by the petitioner is disposed of with a direction to respondent no.2 to consider and decide the representation Annexure P/8 within a period of one month from the date of receipt of certified copy of the order passed today, by speaking order. However, it is made clear that till

representation submitted by the petitioner is decided, the operation and effect of the impugned transfer order dated 16.3.2016 shall remain stayed. The petitioner is permitted to work at his present place of posting i.e. Bhopal. It is made clear that this Court has not expressed any opinion on the merits of the case.

With the aforesaid observations, the petition filed by the petitioner stands disposed of.

Certified copy as per rules.

**(MISS VANDANA KASREKAR)**  
**JUDGE**