

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**WPS No. 548 of 2024**

- Smt. Mohanmoti Pradhan W/o Prabhanshu Shekhar Aged About 34 Years At Present Posted And Working As Panchayat Sachiv And Posted At Village Baitari, Block Saraipali, District Mahasamund (C.G.)

**---- Petitioner**

**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Panchayat And Rural Development, Mantralaya, Mahanadi Bhawan, Atal Nagar, Nawa Raipur, District Raipur (C.G.)
2. Collector Mahasamund, District Mahasamund (C.G.)
3. Chief Executive Officer Zila Panchayat Mahasamund, District Mahasamund (C.G.)
4. Shrawan Kumar Bagh At Present Posted And Working As Panchayat Sachiv And Posted At Village Bhukel, Block At Villave Bhukel, Block Basna, District Mahasamund (C.G.)

**---- Respondents**

(Cause-title taken from Case Information System)

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For Petitioner	:	Mr. Raghvendra Pradhan, Advocate
For Respondent/State	:	Mr. Suyashdhar Diwan, Dy. G.A.

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**Hon'ble Mr. Justice Arvind Singh Chandel**

**ORDER ON BOARD**

**31/01/2024**

1. Learned counsel appearing for the petitioner submits that on 15.05.2020, firstly petitioner has been transferred from Gram Panchayat, Bhaskarapali, Block Pithora to village Singhi, Block Mahasamund and thereafter from village Singhi to Village Baitari, Block Saraipali vide order dated 26.08.2021, which is the present place of posting. Thereafter, suddenly petitioner has been transferred from village Baitari to village Bhukel, Block Basna, as such the petitioner is subjected to frequent transfer, therefore, it is

prayed by the counsel for petitioner that the impugned order dated 12.01.2024 may be set-aside on this ground only.

- 2 Learned State Counsel opposed the argument raised by learned counsel appearing for the petitioner and submits that as per clause (7) of the transfer policy dated 12.08.2022, the petitioner ought to have submit a representation before the Committee for cancellation or alteration of the place of posting/transfer.
- 3 Learned counsel appearing for the petitioner at this juncture submit that this petition may be disposed or giving liberty to the petitioner to make a detailed representation as proposed by learned State Counsel before the respondent No.3 and in-turn, respondent No.3 may also be directed to consider and decide the same in accordance with the relevant rules/law/circulars, at the earliest, within any specific period as fixed by this Court. He further submits that petitioner has not relieved yet, not anyone has joined in her place, therefore, till the decision of above representation is taken, the effect and operation of impugned order i.e. Annexure P/1 dated 12.01.2024 shall remain stayed with regard to the petitioner.
- 4 On the basis of submission made by both the counsel for respective parties, at this stage, without entering into the merits of the case, this petition is disposed of giving liberty to the petitioner to file a detailed representation before respondent No.3 within '**one weeks**' and on submission of such representation the respondent No.3 /Committee/ appropriate authority is directed to consider and decide the same within an outer limit of "**15 days**" from the submission of such representation in accordance with the relevant rules, law, circulars and instructions applicable to the case of petitioner. Till then the effect and operation of the impugned order dated 12.01.2024 (Annexure P/1) shall remain stayed, if already not implemented.
5. With the aforesaid observation, the present writ petition stands disposed of.

Sd/-  
(Arvind Singh Chandel)  
JUDGE