HIGH COURT OF MADHYA PRADESH :INDORE BENCH

W.P. No.10469/2019
(Kishorechandra Sharma & Anr. Vs. State of M.P. & Ors.)

Indore dated :23.05.2019

Shri Sanjay Jamindar, learned counsel for the petitioner.

Shri Vinay Gandhi, learned Govt. Advocate for the respondent/State.

Heard.

The petitioner has filed the present petition challenging the transfer order dated 9/03/2019 issued by respondent no.4, whereby the petitioner is transferred from Govt. P.S. Dhannkhedi, Ghatiya to Girls P.S. Lohana, Badnagar and from Middle School Dhannakhedi, Ghatiya to EGS, Dupdavada.

The said transfer order has been challenged on the ground that the petitioner is office bearers of the recognized Union. Therefore, as per transfer Policy, he is exempted from being transferred for a period of 4 years.

Learned counsel for the petitioner submits that against the said transfer order, the petitioner has already submitted their representation vide Annexures - P/4 and P/5. Therefore, he prays that an appropriate direction be issued to decide the said representation.

Learned Govt. Advocate for the respondent/state submits that a suitable action shall be taken on the representation submitted by the petitioner.

Considering the fact that the representation of the petitioner is still pending, I without controverting the issue raised in this writ petition, direct the respondents to decide

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the representation of the petitioner, within a period of one month from the date of receipt of certified copy of the order, in accordance with law.

For a period of one month or till the representation is decided, whichever is earlier the impugned transfer order shall remain in abeyance so far as the petitioner is concerned. However, interim protection would not be available if copy of this order is not given to the respondents.

With the aforesaid, the writ petition stands disposed of.

Cc as per rules.

(Ms. Vandana Kasrekar)
Vacation Judge

pn