

HIGH COURT OF M.P. : BENCH AT INDORE**W.P. No.18986/2021****Indore : 16/09/2021 :-**

Shri C.B. Pandey, learned counsel for the petitioner.

Shri Chetan Jain, learned Panel Lawyer for the respondents/State.

Heard on the question of admission and on interim relief.

ORDER

By this petition under Article 226 of the Constitution of India, the petitioner has challenged the order dated 16/08/2021 (Annexure-P/1) passed by respondent No.4 whereby he has been transferred from Public Health Centre, Petlawad to Public Health Centre, Kalyanpura.

2. The contention of learned counsel for the petitioner is that the petitioner, who is working on the post of Computer Operator, is Tehsil President of M.P. Karamchari Congress, as is evident by the document dated 26/04/2018 submitted by M.P. Karamchari Congress in that regard. It is further submitted that the mother of the petitioner is quite old and is living with him and is dependent upon him and he is the only person to take-care of her. It is further submitted that transfer order is in contravention of transfer policy of the State Government hence is illegal and bad in law.

3. Learned Panel Lawyer for the respondents/State has opposed the prayer and has supported the impugned transfer order.

4. In the available facts of the case, I deem it fit and appropriate to direct petitioner to prefer a representation against his transfer order to the respondents within a period of 10 days alongwith all requisite documents. In case such representation is preferred by the petitioner, then the same shall be decided by the respondents/Competent Authority within a period of one month from the date of its receipt. If the representation as aforesaid is preferred by the petitioner within 10 days, then, in that case the impugned transfer order dated 16/08/2021 (Annexure-P/1) in so far as it relates to the petitioner shall remain stayed, till the decision of the representation and the petitioner shall be

allowed to continue to work at his present place of posting.

5. With the aforesaid direction, petition stands disposed of finally.

6. It is made clear that this Court has not expressed any opinion on merits of the case.

C.C. as per rules.

Aiyer*

**(Pranay Verma)
Judge**