

Sanjay Narvare Vs. the State of Madhya Pradesh

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Court : Madhya Pradesh

Decided On : Aug-27-2012

Appellant : Sanjay Narvare

Respondent : The State of Madhya Pradesh

Judgement :

1 W.P.No.13433/12 (s) 27/08/12 Petitioner in person.

Petitioner is working as a 'Rural Agriculture Extension Officer' in the office of 'Senior Agriculture Development Officer' Parasiya, Distt.

Chhindwara.

By the impugned order, petitioner has been transferred from Chhindwara to Seoni and challenge to the order of transfer is made mainly on the ground that petitioner is an office bearer of the recognized union/association and, therefore, his transfer during the period of office bearer is unsustainable and in violation of the transfer policy.

Merely, because transfer policy is violated, judicial review into an administrative order of transfer is not permissible in view of the law laid down by the Supreme Court in the case of Union of India Vs.S.L.

Abbas AIR 1993.SC 244.and by a Division Bench of this Court in the case of R.S.Chaudhary versus State of M.P.and otheRs.I.L.R.

[2007].M.P.

1329 .

In view of the above, it is not appropriate for this Court to interfere into the matter.

However, as the representation in the matter is pending before the competent authority of the State Govt.

, interest of 2 justice requires that representation of the petitioner shall be considered and decided within a reasonable time.

Accordingly, it is directed that on the petitioner's filing a certified copy of this order, representation filed by the petitioner be decided and till the representation is not decided, status quo with regard to working and posting of the petitioner shall be maintained.

With the aforesaid, petition stands disposed of.C.C.

as per rules.

(Rajendra Menon) Judge Vy/-

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