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HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(S) No. 3959 of 2014

1. R.K. Thakur S/o G.S.Thakur,
   aged about 52 years, R/o Sarkanda,
   Bilaspur, Police Station & Post Sarkanda,
   Civil & Revenue District Bilaspur (C.G.)

---- Petitioner

Versus

1. State of Chhattisgarh, through Chief Secretary,
   Water Resources Department, Mahanadi Bhawan,
   Mantralaya, Capital Complex, Naya Raipur,
   District Raipur (C.G.)

2. Rakesh Back, Assistant Engineer, Water Resources
   Department, Division Dantewada South Bastar,
   District South Bastar Dantewada (C.G.)

---- Respondents

CHHATTISGARH HIGH COURT

For Petitioner — Mr. V.A. Goverdhan, Advocate.
For Respondent No.1 — Mr. Shashank Thakur, Govt. Advocate and Mr. Mazid Ali, Panel Lawyer.
For Respondent No.2 — Mr. N. Naharoy, Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order On Board

19/3/2015

1. The dispute in the instant Writ Petition is the order of transfer served upon the Petitioner vide Annexure P-1, dated 15.7.2014, whereby the services of the Petitioner has been transferred to the post of Sub-divisional Officer at Water Resources, Sub-division, Kondagaon.

2. Learned Counsel for the State makes a submission that the Petitioner is already working at his present place of posting by virtue of interim protection granted by this Court on 7.8.2014 and continues to work on the said post and as such the instant Writ Petition at this juncture may be disposed of holding that the Respondent-State shall not act upon the impugned order so far as the transfer of the Petitioner is concerned and if need be the State would have the liberty to pass a fresh order of transfer in the event of an administrative exigency.

3. The said submission made by the State's Counsel appears to be a reasonable submission and at the instance of the said submission made by the learned Counsel for the State, which is also acceptable to the Counsel appearing for the Petitioner as well as for Respondent No.2, the

instant Writ Petition stands disposed of holding that the State Government shall not act upon Annexure P-1, dated 15.7.2014, so far as the transfer of the Petitioner is concerned and the Petitioner shall be permitted to continue at his present place of posting.

4. Needless to mention that the State Government shall have the liberty of passing a fresh order of transfer in the event of an administrative exigency if so arises

5. With the above observations, the Writ Petition is disposed of.

Sd/-
P. Sam Koshy
Judge

Sharad

CHHATTISGARH ... COURT
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