

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**W.P.(S) No. 4435 of 2014**

Tukeshwar Prasad Verma S/o Shri Rekhram Verma, Aged about 35
Years, R/o Village Raikheda, PS Kharora, Tah. Tilda, Distt. Raipur, CG

---- Petitioner**Versus**

1. State of Chhattisgarh through the Secretary, Labour Department,
Mahanadi Bhawan, Mantralaya, New Raipur, Dist Raipur, CG
2. The Under Secretary, Labour Department, Govt. of Chhattisgarh,
Mahanadi Bhawan, Mantralaya, New Raipur, Dist Raipur, Cg
3. The Insurance Medical Officer, Employee State Insurance Services,
Baikunthpur Tilda Centre, Dist. Raipur, CG

---- Respondents

For Petitioner	:	Shri Bharat Rajput, Advocate
For Respondent/State	:	Shri U. N. S. Deo, G.A.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****18/09/2015**

Challenge in the present writ petition is to the orders dated 25.06.2014 Annexure P-3, 17.07.2014 Annexure P-5 and 12.08.2014 Annexure P-7 whereby the services of the petitioner have been transferred from Baikunth (Tilda) Center to Balco (Korba) Center.

2. According to the counsel for the petitioner, the services of the petitioner were transferred from Baikunth (Tilda) Center to Balco (Korba) Center vide order dated 25.06.2014 showing that the transfer has been made on his own request whereas the petitioner has never made any such request for his transfer. He submits that the said order dated 25.06.2014 was challenged before this Court in W.P.(C) No. 3035/2014 which was disposed of on 16.07.2014 directing the petitioner to approach the State Government by way of a representation and till the representation is decided, the effect and operation of the said order so far as the petitioner is concerned would remain stayed.

3. Counsel for the petitioner submits that subsequently, respondent No.2 passed an order (Sudhi Patra) on the very next day i.e. 17.07.2014 mentioning that the word "own request" in the earlier order of transfer dated 25.06.2014 may be read as "administrative". He submits that as per the direction of this Court passed in W. P.(S) No.3035/2014, the petitioner made a representation to the respondents on 21.07.2014 which was dismissed by respondent No.2 vide order dated 12.08.2014 on the ground that the department has already passed the Sudhi Patra on 17.07.2014. He further submits that this Court vide order dated 28.08.2014 passed an interim order staying the effect and operation of the two orders dated 25.06.2014 as well as 17.07.2014 by virtue of which the petitioner continues to discharge his duties at the place where he was working before passing of the impugned order.

4. At this juncture, on instruction, State counsel makes a submission that since the petitioner has an interim protection in his favour for over an year, the State as of now would not insist upon the execution of the impugned orders. However, the State may be granted liberty to pass fresh order as and when the need so arises.

5. In the light of the submission made by the State counsel, nothing further remains to be adjudicated upon.

6. Accordingly, the instant writ petition stands disposed of with the liberty as prayed by the State counsel.

Sd/-
(P. Sam Koshy)
JUDGE