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HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 2621 of 2015

- Rajendra Kumar Chaturvedi S/o Late Bhagwan Das Chaturvedi Aged About 58 years R/o Main Road Baikunthpur, Korea, P.S. And Post Baikunthpur, Civil & Revenue District Korea Chhattisgarh

---- Petitioner

Versus

1. State of Chhattisgarh Through Secretary Water Resources Department, Mahanadi Bhawan, Mantralaya, Capital Complex, Naya Raipur District Raipur Chhattsigarh

2. Superintending Engineer, Shyam Barnai Project Division, Ambikapur, Surguja District Surguja Chhattisgarh

3. Executive Engineer Water Resources Division Baikunthpur, District Korea Chhattisgarh

4. Sub-Divisional Officer Water Resources Sub Division No. 3, Khadgawan, District Korea Chhattisgarh

---- Respondents

For Petitioner : Shri Manoj Paranjpe, Advocate
For Respondents/State : Shri PK Bhaduri, GA for the State

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

23/07/2015

1. The petitioner through the instant petition has challenged the order dated 20.05.2015 whereby the State Government has issued an order relieving the petitioner from his present place of posting to join at Bijapur.

2. The grievance of the petitioner is that the respondents are trying to give effect to a transfer order which was issued about 6 years back i.e. on

30.06.2009.

3. Counsel for the petitioner submits that the petitioner, though was transferred on 30.06.2009 from Baikunthpur to Bijapur but because of the fact that there was no reliever posted at Baikunthpur, the petitioner continued to work at Baikunthpur till date. According to him, the respondents ought to have issued a fresh order of transfer, if at all they wanted to transfer the petitioner to a different place. He further submits that the impugned order dated 20.05.2015 directing the petitioner to join the place of posting whereby the petitioner was transferred 06 years back does not seem to be proper.

4. Taking into consideration the facts and circumstances of the case, this Court is of the opinion that ends of justice would meet if the petitioner is directed to approach the authority concerned by moving a fresh representation within a period of two weeks from today in respect of his contentions and the State Government, in turn shall take decision on the representation so filed by the petitioner within a further period of two months. Till then, it is directed that the State Government shall not give effect to the impugned order dated 20.05.2015 (Annexure P-2).

5. With the above observation, the instant writ petition stands disposed of.

Sd/-

Judge

Prashant Kumar Mishra

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