

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**W.P.(S) No. 4391 of 2014**

Sundermani Patnayak S/o Shri Nagarjun Patnayak, Aged about 52 Years, Occupation Service, Assistant Grade II (Presently posted at Dabhra) R/o Village Dabhra, Tahsil Dabhra, Civil & Revenue Distt. Janjgir Champa, C.G.

---- **Petitioner****Versus**

1. State of Chhattisgarh Through the Secretary, Department of Revenue & Disaster Management, Mahanadi Bhawan, Mantralaya, New Raipur, C.G.
2. Joint Secretary, Revenue & Apada Management Department, New Raipur, Distt. Raipur, C.G.
3. Collector, Janjgir - Champa, C.G.
4. Sub Divisional Officer (Revenue) Dabhara, Distt. Janjgir Champa, C.G.
5. Tahsildar, Tahsil Dabhra, Distt. Janjgir Champa, C.G.
6. Tahsildar, Tahsil Baloda, Distt. Janjgir Champa, C.G.

---- **Respondents**

For Petitioner	:	Shri Awadh Tripathi, 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 two orders dated 11.07.2014 Annexure P-2 and 31.07.2014 Annexure P-1 whereby the services of the petitioner have been transferred from Dabhra to Baloda.

2. According to the counsel for the petitioner, the services of the petitioner were transferred from Tahsil Dabhra to Tahsil Baloda vide order dated 11.07.2014 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 11.07.2014 was challenged in W.P.(C) No. 3426/2014 whereby the writ petition was disposed of on 23.07.2014 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 further submits that subsequently, the State Government, on a representation made by the petitioner, passed the order dated 31.07.2014 modifying the earlier order of transfer dated 11.07.2014 to the extent that the earlier order may be read as to have been issued on administrative reasons. He submits that this Court vide order dated 26.08.2014 passed an interim order staying the effect and operation of the two orders dated 11.07.2014 and 31.07.2014 by virtue of which the petitioner continues to discharge his duties at Dabra.

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