

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 1849 of 2015

1. Laxman Prasad Thakur S/o Shri Ramkhilawan Thakur Aged About 61 Years Posted As Patwari In Tehsil Tilda District Raipur (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary Department Of Revenue & Disaster Management, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur
2. Under Secretary Department Of Revenue & Disaster Management, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur (Chhattisgarh)
3. Collector, Raipur P.S. Civil Lines, Raipur (Chhattisgarh)

---- Respondent

For Petitioner	Shri Jitendra Pali, Advocate
For Respondent/State	Shri Shashank Thakur, Govt. Advocate

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

10/09/2015

Heard learned counsel for the parties.

1. Petitioner, who is working as Patwari, has assailed the order dated 31-7-2014 whereby he has been transferred from Raipur to Sukma i.e. from one Division to another Division.

2. The petitioner had earlier preferred writ petition, which was disposed of by this Court with a direction to the respondent/State to decide his representation, however, despite there being recommendation made by the committee of the Senior Secretaries in favour of the petitioner, the department has refused to cancel the transfer order passed in respect of the petitioner.
3. According to the learned counsel for the State, after issuance of the transfer order in July, 2014 the petitioner is continuing on the post for more than one year on account of interim order granted by this Court. The State/respondents may be granted liberty to pass appropriate orders, in accordance with law, keeping in view public interest and administrative exigency. Learned counsel would further submit that the State/respondents shall not insist upon compliance of the impugned transfer order dated 31-7-2014.
4. It is accordingly ordered.
5. Since no effect could be given to the impugned order on account of aforesaid interim order, it is not necessary to go into the legality and validity of the impugned order in the facts of the case.

6. In view of the above, according to learned counsel appearing for the petitioner, nothing survives in this petition for adjudication at this stage.
7. Accordingly, the writ petition is disposed of.

Sd/-

Judge

Prashant Kumar Mishra

Gowri