

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3364 of 2015

- Mohd. Shahadat Ansari S/o Late Jamaluddin, Aged About 58 Years Occupation- Service, Presently Working As Asstt. Engineer, In The Office Of Rural Engineering Services, Dantewada Division, Civil And Revenue District Dantewada, (Chhattisgarh)

---- Petitioner

Versus

1. The State Of Chhattisgarh Through The Secretary, Department Of Panchayat Evam Rural Development, New Mantralaya, Mahanadi Bhawan, Raipur, (Chhattisgarh)
2. Chief Engineer, Rural Engineering Services, Office Of Development Commissioner, Chhattisgarh, New Raipur, (Chhattisgarh)
3. The State Of Madhya Pradesh, Through The Secretary, Department Of Panchayat And Rural Development, Vallabh Bhawan, Bhopal, (Madhya Pradesh)
4. The Union Of India, Through The Secretary, Department Of Personnel And Affairs Grievances Cell, New Delhi

---- Respondent

For Petitioners	Mr. P.K. Tulsyan, Advocate
For Respondent/State	Mr. P.K. Bhaduri, Government Advocate
For Respondent No.4	Mr. Ashwani Shukla, Advocate

S.B.:Hon'ble Mr. Justice Prashant Kumar Mishra

Order On Board

16/9/2015

Heard finally with the consent of learned counsel for the parties.

(2) The petitioner would assail the order (Annexure P/6) issued by the Chief Engineer, Rural Engineering Services, Chhattisgarh in the office of Development Commissioner, Chhattisgarh, whereby, the

Executive Engineer, RES, Dantewada Division has been directed to forthwith relieve the petitioner to enable him to join at Jhabua (M.P.), where, the petitioner has been posted on allocation of his services to the State of Madhya Pradesh.

(3) It appears upon reorganization of the erstwhile State of Madhya Pradesh, the petitioner was allocated to the successor State of Madhya Pradesh, however, the petitioner continued in the State of Chhattisgarh.

(4) The writ petition is not maintainable in its present form, inasmuch as, without assailing the order of allocation, the petitioner cannot independently challenge the communication, by which, the office of Development Commissioner, Chhattisgarh has directed the Executive Engineer to relieve the petitioner.

(5) Accordingly, the writ petition is dismissed, as not maintainable.

Sd/-

Judge

(Prashant Kumar Mishra)