

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 758 of 2015

1. Manoj Vishwakarma S/o Shri R.S. Vishwakarma Aged About 41 years Posted As Patwari In Patwari Halka No. 02, Murra, P.S. Murra, Tehsil Raipur, District Raipur (C.G.)

---- Petitioner

Versus

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

---- Respondent

And

WPS No. 876 of 2015

1. Narendra Kumar Pandey S/o Late Shri D.N. Pandey Aged About 44 years Posted As Patwari In Patwari Halka No. 28, Devada, P.S. Devada, Tehsil Aarang, District Raipur (C.G.)

---- Petitioner

Versus

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

---- Respondent

For Petitioners	Shri Aman Kesharwani, Adv.
For Respondent/State	Shri Shashank Thakur, Govt. Adv.

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

13/08/2015

1. Heard learned counsel for the parties.
2. Petitioners, who are working as Patwaris, have assailed the order dated 15-7-2014 whereby both of them have been transferred from Raipur to Bastar i.e. from one Division to another Division.
3. Both the petitioners had earlier preferred writ petitions, which were disposed of by this Court with a direction to the respondent/State to decide their representations, however, despite there being recommendation made by the committee of the Senior Secretaries in favour of the petitioners, the department has refused to cancel the transfer orders passed in respect of the petitioners.
4. According to the learned counsel for the State, after issuance of the transfer order in July, 2014 the petitioners are 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 15.7.2014.
5. It is accordingly ordered.

6. 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.
7. In view of the above, according to learned counsel appearing for the petitioners, nothing survives in these petitions for adjudication at this stage.
8. Accordingly, both the writ petitions stand disposed of.

Sd/-

Judge

Prashant Kumar Mishra

Gowri