

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No.3414 of 2016**

Smt. Upasna Pandey W/o Rajesh Pandey, Aged About 38 Years R/o
Nagar Panchayat Malhar, Tahsil & Thana Masturi, District Bilaspur,
(Chhattisgarh)

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Its Secretary, Department Of Panchayat & Rural Development, Mantralaya, Mahanadi Bhawan, Naya Balrampur-Ramanujganj, District Balrampur- Ramanujganj, (Chhattisgarh)
2. Chief Executive Officer, Zila Panchayat, Bilaspur, District Bilaspur, (Chhattisgarh)
3. Chief Executive Officer, Zila Panchayat, Balrampur- Ramanujganj, District Balrampur, (Chhattisgarh)

---- Respondents

For Petitioner : Shri Mateen Siddiqui, Advocate
For Respondent/State : Shri D. R. Minz, Dy.GA

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****04/08/2016**

The petition has been filed by the petitioner on the grievance that even though, the petitioner has been relieved from earlier place of posting and submitted joining in the Office of Chief Executive Officer, Zila Panchayat, Bilaspur, her joining has not been given accepted.

2. Learned counsel for the petitioner submits that order of transfer has not been cancelled till date, and therefore, unless transfer order itself is cancelled or the petitioner is transferred to some other place, the petitioner is entitled to a place of posting. It is submitted that the reason for non-joining is presumably

cancellation of NOC, on the basis of which, the transfer order was passed.

3. It appears that the petitioner was transferred from Balrampur to Bilaspur district, based on accommodation under Government policy for keeping husband and wife together in a same place. Later on, it appears that upon disclosure of the fact that the petitioner's husband is working under Central Government service, and therefore, the petitioner is not entitled to accommodation as per clause 4 of the Policy dated 02.03.2016, the Chief Executive Officer, Bilaspur has cancelled the NOC vide order dated 05-07-2016.

4. Irrespective of all said and done, there is no fresh order of transfer till date on the aforesaid ground. Therefore, as long as the transfer order of the petitioner remains in force and not changed, the petitioner is entitled to place of posting.

5. With this observation, the petition stands disposed off with a direction to the respondents to provide the petitioner place of posting as per existing transfer order. It is made clear that this order shall not come in the way of passing fresh order of transfer.

SD/-
(**Manindra Mohan Shrivastava**)
Judge