

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 2630 of 2016

Rama Shankar Tripathi S/o Late Shri Chotelal Tripathi, Aged About 50 Years
Occupation Senior Clerk, Central Stores, S. E. C. L. Korba R/o S. E. C. L. S. B. C.
Colony, Quarter No. M/50, P. S. Manikpur, Tahsil And District Korba Chhattisgarh.

---- Petitioner

Versus

1. South Eastern Coalfields Limited Through Chairman Cum Managing Director, S.E.C.L. Seepat Road Bilaspur, (Chhattisgarh).
2. General Manager (Personnel/ Labour Main Power) Head Of The Department, Central Stores, S. E. C. L. Seepat Road Bilaspur, (Chhattisgarh).
3. Deputy General Manager, (Material Manager) / Central Stores, S. E. C. L. Korba, (Chhattisgarh).
4. Senior Officer (Personal/ Administration), Central Workshop / Central Stores, Korba, S. E. C. L. (Mini Ratn Company) Korba, Chhattisgarh.
5. Director Personal, S. E. C. L., Head Quarters Seepat Road Bilaspur, Chhattisgarh.

---- Respondents

Shri Avinash K. Mishra, counsel for the petitioner/s.
Shri H.B.Agrawal, senior counsel along with Shri Adil Minhaj, counsel for SECL.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

23/09/2016

The sole ground of challenge to the transfer order passed by the respondents on 18/20.06.2016 is that in view of interim order passed by this Court on 11.02.2016 in WPS No.389/2016, the petitioner could not be transferred unless the stay is vacated or the petition is dismissed or earlier order of transfer was specifically withdrawn.

2. It is not in dispute that earlier transfer order was issued on 20.01.2016, when the petitioner was under suspension and attachment. The said order was stayed by this Court. However, later on, suspension has been revoked on 27.04.2016. The respondents have not given effect to the earlier order of transfer but a new order of

transfer impliedly superseded the earlier order of transfer because the petitioner has now been transferred in the changed circumstances after revocation of suspension. Therefore, no ground is made out to interfere with the impugned order. The petition is accordingly dismissed.

Sd/-

(Manindra Mohan Shrivastava)
Judge