

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 4560 of 2017

Mani Ram Yadav S/o Shri Shivnarayan Yadav, Aged About 51 Years Occupation Service, Working As Block Education Officer Bagicha District Jashpur, District Jashpur, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of School Education, Mahanadi Bhawan, New Raipur, Chhattisgarh.
2. Commissioner, Surguja Division, Ambikapur, District Surguja, Chhattisgarh.

---- Respondents

For Petitioner	:	Shri A.N. Pandey, Advocate
For State	:	Shri S.P. Kale, Dy.A.G.

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

06/09/2017

Heard.

1. This petition arises out of order dated 29.8.2017 by which the petitioner's suspension has been revoked and he has now been posted at the option of District Education Officer Jashpur.
2. The only ground of challenge is that in view of settled legal position laid down by this Court in number of decisions including the case of **Bhopal Tande Vs. State of Chhattisgarh and Ors.**¹, upon revocation of suspension, an employee is entitled to be posted at the same place wherefrom he was suspended.
3. Taking into consideration the aforesaid settled legal position, this petition is finally disposed off with a direction to respondent No.2 to pass fresh order

1. WPS No.2498 of 2015 decided on 10.8.2015

regarding posting of the petitioner at the same place wherefrom he was suspended, However, thereafter, it would be open for the authority to issue fresh order of transfer in respect of the petitioner in times to come if exigency so arises.

Sd/-

(Manindra Mohan Shrivastava)

Judge

Praveen