

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 5283 of 2017

- Arun Rawani S/o Shri Rambriksha Ram Aged About 50 Years Occupation Service Presently Posted As Assistant Grade - 2 At Office Of Sub Divisional Officer Patthalgaon, Civil & Revenue District Jashpur Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary Revenue And Disaster Management Department Mantralaya Mahanadi Bhawan Capital Complex Naya Raipur District Raipur Chhattisgarh.
2. Collector Jashpur, District - Jashpur Chhattisgarh.
3. Sub Divisional Officer (R) Patthalgaon, District Jashpur Chhattisgarh.

---- Respondent

And

WPS No. 5341 Of 2017

- Om Shanker S/o Shri Fulchand, Aged About 33 Years Occupation Service, A G 2, Office Of S. D. O. (R) Bagicha, District Jashpur, Chhattisgarh.

---- Petitioner

Vs

1. State Of Chhattisgarh Through The Secretary, Revenue & Calamity Management Department Mantralaya New Raipur, Chhattisgarh.
2. The Collector Jashpur, District Jashpur, Chhattisgarh.
3. The S.D.O. Patthalgawn/ Bagicha, District Jashpur, Chhattisgarh.
4. Arun Kumar Rawani, AG 2 Office Of S.D.O. (R) Patthalgawn, District Jashpur, Chhattisgarh.

---- Respondent

For Petitioners	Shri Sunil Sahu and Shri Bhupendra Singh, Advocates.
For Respondents	Shri Adhiraj Surana, Dy. G.A.

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

21/11/2017

1. Both the petitioners are working as Assistant Grade-II in the Office of SDO Revenue, at their respective places. By the impugned orders petitioner Arun Rawani has been transferred from Patthalgaon, District Jashpur to Bagicha, District Jashpur, whereas petitioner Om Shanker is transferred from Bagicha, District Jashpur to Patthalgaon, District Jashpur. By interim order dated 06.10.2017 in WPS No. 5283/2017, this Court has allowed interim relief to petitioner Arun Rawani. Similarly, an interim order is also operative in the petition filed by Om Shanker in WPS No. 5341 of 2017.
2. Although, learned State counsel would submit that before the interim order could be passed in both the petitions, the respective petitioners were relieved. However, as claimed by the petitioners after the interim order was passed, they have been allowed to continue at their pre-transfer posting.
3. State has filed return in both the petitions defending the transfer order, however, Shri Sahu, learned counsel for the petitioner Arun Rawani would place before this Court the recommendation made by the Grievance Redressal

Committee of Senior Secretaries on 16.10.2017 for cancelling the transfer order in respect of Shri Arun Rawani.

4. Although, no such recommendation has been made in favour of the petitioner, as a necessary corollary of the implementation of the recommendation in favour of Arun Rawani, the other petitioner Om Shanker shall also be affected, therefore, instead of keeping these petitions pending, they are disposed of with a direction that the competent authority shall pass necessary orders on the recommendation made by the Committee of Senior Secretaries within a period of 8 weeks from today. While passing orders in respect of Arun Rawani, the competent authority shall also pass a consequential order in respect of the petitioner Om Shanker. Let both the petitioners submit certified copy of this order before the competent authority within a period of three weeks from today.
5. For a period of 8 weeks from today, the petitioners shall be allowed to continue at their respective present place of posting where they are working today. The recommendation of the Committee of Senior Secretaries is made part of the record of these petitions.
6. Accordingly, these petitions are disposed of with the aforesaid observations.

Sd/-

Judge

Prashant Kumar Mishra

Akhilesh