

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 6550 of 2017**

- Harkesh Kumar Jaiswal S/o Shri Prayag Prasad Jaiswal Aged About 38 Years Working As Lecturer Panchayat (Bio), At Govt. Girls Higher Secondary School, Bhatgaon, District Surajpur Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Panchayat And Rural Development Department, Mahanadi Bhawan, Naya Raipur, Distt. Raipur Chhattisgarh.
2. Collector, Surajpur District Surajpur Chhattisgarh
3. Chief Executive Officer, Zila Panchayat, Surajpur District Surajpur Chhattisgarh
4. District Education Officer, Surajpur District Surajpur Chhattisgarh
5. Principal, Govt. Girls Higher Secondary School, Bhatgaon, District Surajpur Chhattisgarh

---- Respondent

For Petitioner	Shri V.K. Pandey, Advocate.
For Respondents	Shri Rajendra Tripathi, P.L.

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****29/11/2017**

1. Grievance of the petitioner raised in this petition is that upon revocation of suspension, the petitioner is being posted at a place other than where he was working at the time of

suspension.

2. It is submitted that this legal issue has been decided by this Court in large number of cases and it has become a settled legal position that upon revocation of suspension, the employee is required to be posted at the same place wherefrom he was suspended.
3. On the other hand, learned counsel for respondent No.3 submits that because of the exigency of service it has been decided that the petitioner should be posted at some other place, therefore, the impugned order has been passed.
4. This Court in the case of **Vijay Vajpayee v. State of Chhattisgarh and others**, W.P.(S) No. 4921/2014, decided on 18.09.2014 has held that once an employee is suspended, upon revocation he is required to be posted at the same place wherefrom he was suspended.
5. Respondent No.3 is directed to pass appropriate order posting the petitioner at the place wherefrom he was suspended.
6. This order, however, shall not come in the way of transfer of the petitioner, in times to come, on administrative exigency.
7. The writ petition stands disposed of. No order as to cost(s).

Sd/-

Judge
Prashant Kumar Mishra

Akhilesh