

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 6662 of 2017**

- P. L. Panth S/o Shri B.L. Panth, Aged About 61 Years Presently Posted As Assistant Engineer, At Water Resources Construction Sub Division, Pendra Road District Bilaspur, R/o Madhuban Colony, Pendra Road Tahsil Pendra Road District Bilaspur Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Water Resources, Department, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur Chhattisgarh.
2. Joint Secretary, Water Resources Department, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur Chhattisgarh.
3. Engineer In Chief Water Resources, Department Sihawa Bhawan, Raipur District Raipur Chhattisgarh.
4. Superintendent Engineer, Water Resources, Division Bilaspur District Bilaspur Chhattisgarh.
5. Executive Engineer Water Resources, Division Pendra Road, District Bilaspur Chhattisgarh.
6. K.C. Dubey, Assistant Engineer Water Resources, Division Raigarh, District Raigarh Chhattisgarh.

---- Respondent

For Petitioner
For Respondents

Shri Mateen Siddiqui, Advocate.
Ms K. Tripti Rao, P.L.

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****30/11/2017**

1. Learned counsel for the petitioner would submit that despite order passed by this Court in earlier round of writ

petition the representation has been decided by the Under Secretary Government of Chhattisgarh and not by the Committee of Senior Secretaries who are authorized to consider the representation under the transfer policy for the year 2017.

2. It is to be noticed that while disposing the petitioner's earlier writ petition this Court has referred to the transfer policy and thereafter directed that the petitioner's representation shall be decided within 4 weeks. Thus, when the policy has been referred in the order itself, the consideration should have been by the authority i.e. Committee of Senior Secretaries who have been authorized to consider the representation.
3. In the facts and circumstances of the case, the present writ petition is disposed of with a direction that petitioner's representation shall be decided by committee of Senior Secretaries, while such fresh consideration, the Committee shall not be influenced by the order Annexure P-1 by which the petitioner's earlier writ petition has been rejected by the Under Secretary.
4. Let the fresh consideration be made within a period of 6 months from today. Till then the petitioner shall be allowed to continue at his present place of posting.
5. Accordingly, the writ petition is disposed of.

Sd/-

Judge

Prashant Kumar Mishra

Akhilesh