

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3909 of 2017

R.P.Tiwari S/o Shri Guruprasad Tiwari, Aged About 55 Years Occupation Service-Draftsman, In The Office Of The Chief Engineer, Hasdoe Ganga Kachaar, Water Resources, Thana- City Kotwali Ambikapur, District Surguja, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through Its Secretary, Department Of Water Resources, Mahanadi Bhawan, Naya Raipur, District Raipur, Chhattisgarh.
2. Engineer- In- Chief, Water Resources Raipur, District Raipur, , Chhattisgarh.
3. Chief Engineer Hasdeo Ganga Kachaar, Water Resources,
4. Shri R.N. Singh, Occupation Service - Draftsman, In The Office Of The Water Resources Division No. 1, Ambikapur, District Surguja, Chhattisgarh.

---- Respondents

Shri Vinay Pandey Pandey, counsel for the petitioner/s.
Shri Satish Gupta, Govt. Advocate for the State.
Shri CJK Rao, counsel for respondent No.4 on advance copy.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

22/08/2017

The petitioner's grievance is that the petitioner as well as one Krishna Kumar Khare are being transferred against only single vacancy of Draftsman in the office of Executive Engineer, Thermal Power Project, Division Ambikapur.

2. Learned counsel for the petitioner submits that the posting of two officers at the same place has left the petitioner with the apprehension that if he joins at that place, it may be treated as attachment.

3. State counsel appears on advance copy submits that once there is an order of the Government, it has to be presumed that there is a post to accommodate the petitioner.

4. In view of what has been stated on affidavit in the petition, the matter be examined by the State Government with reference to the availability of the post in the office of Executive Engineer, Thermal Power Project, Division Ambikapur. If there is no vacancy of the Draftsman or any other equivalent or higher post to facilitate joining in the office of Executive Engineer, the order will require suitable amendment.

5. At this stage, learned counsel for the petitioner draws attention of this Court on memo dated 11/08/2017 of the Chief Engineer who has recommended the transfer of the petitioner to other vacant post. It is for the Government to decide the exigency of service. Appropriate consideration may take place within six weeks from today. For a period of six weeks, coercive steps shall not be taken against the petitioner.

Sd/-
(Manindra Mohan Shrivastava)
Judge