

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

Writ Petition (S) No.3411 of 2016

Anil Shrivastava, S/o Shri D.P. Shrivastava, aged about 46 years, R/o Kashmirigali, Patthalgaon, District Jashpur (C.G.)

---- Petitioner

Versus

1. State of Chhattisgarh, Through the Secretary, Department of Panchayat, Mahanadi Bhavan, Mantralaya, New Raipur, District Raipur (C.G.)
2. Collector, Tribal Development Department, Jashpur, District Jashpur (C.G.)
3. Chief Executive Officer, Jila Panchayat, Jashpur, District Jashpur (C.G.)

---- Respondents

For Petitioner: Mr. Ajay Shrivastava, Advocate.
For State/Respondents No.1 and 2: -
Mrs. Astha Shukla, Panel Lawyer.
For Respondent No.3: Mr. Ravi Kumar Bhagat, Advocate.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

17/01/2017

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 where-from 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 18-9-2014 has held that once an employee is suspended, upon revocation he is required to be posted at the same place where-from he was suspended.
5. Respondent No.3 is directed to pass appropriate order posting the petitioner at the place where-from 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/-
(Manindra Mohan Shrivastava)
Judge