

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 1264 of 2017

Pradeep Kumar Saxena S/o Late J. P. Saxena, Aged About 60 Years
Posted As Senior Assistant (Marketing Federation), R/o Kelo Vihar
Colony, Behind Collectorate Office, Raigarh, District Raigarh
(Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Cooperative Societies Mahanadi Bhawan, Mantralaya New Raipur, Post Office & Police Station Naya Raipur, District Raipur (Chhattisgarh).
2. Chhattisgarh State Cooperative Marketing Federation Limited, Through The Managing Director, Civil Lines, Head Office, Raipur (Chhattisgarh).
3. The Secretary, Chhattisgarh State Cooperative Marketing Federation Limited, 880, Civil Lines, Head Office, Raipur (Chhattisgarh).
4. The Manager (Establishment), Chhattisgarh State Cooperative Marketing Federation Limited, 880, Civil Lines, Head Office, Raipur (Chhattisgarh)

---- Respondents

For Petitioner	:	Mr. Dharendra Prasad Mishra, Advocate
For State	:	Mr. R.K. Mishra, Dy. A.G., on advance copy

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

15/03/2017

Heard.

1. The petitioner has filed this petition aggrieved by transfer order dated 14.10.2016 as also orders dated 26.10.2016 and 07.02.2017.
2. Learned counsel for the petitioner submits that earlier the petitioner had filed a petition aggrieved by his transfer order dated 14.10.2016 which was disposed off vide order dated 17.01.2017 passed by this Court with a direction to consider and decide his representation within a period of four weeks.
3. It is contended that the petitioner preferred representation which was received by respondent No.2 on 28.01.2017 but instead of taking prompt steps to decide petitioner's representation, the petitioner is being compelled to proceed on

transfer. It is further submitted that till date, he has not communicated any decision of his representation.

4. Earlier the petition filed by the petitioner was disposed off with a direction to consider his representation within a period of four weeks. The order of the Court along with representation was submitted before respondent No.2 on 28.01.2017. Therefore, in these circumstances, it was expected that before taking any coercive steps against the petitioner, the respondent ought to have decided his representation one way or the other.

5. However, considering that this Court had not granted any interim relief to the petitioner while disposing off the representation, the respondent No.2 shall not take any coercive steps until decision of petitioner's representation. However, in case, representation is not allowed, the petitioner will have to carry out transfer order, failing which, he will have to face the consequence of non-compliance of direction of the higher authority.

6. The petition is accordingly disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge