

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 2720 of 2017

Durgesh Sahu S/o Shri Tulasiram Sahu, Aged About 37 Years
Occupation Assistant Teacher (Panchayat), R/o Village
Jagamadawa, P. S. Gandai, Tahsil Chhuikhadan, Civil &
Revenue District Rajnandgaon, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Panchayat & Rural Development, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur (Chhattisgarh).
2. The District Education Officer, Rajnandgaon, District Rajnandgaon, Chhattisgarh.
3. Janpad Panchayat Chhuikhadan, Through Its Chief Executive Officer, Janpad Panchayat, Chhuikhadan, Civil & Revenue District Rajnandgaon (Chhattisgarh).

---- Respondents

For Petitioner	:	Mr. Dinesh Tiwari, Advocate
For Respondent-State	:	Ms. Sunita Jain, Panel Lawyer
For Respondent No.3	:	Mr. Dheeraj Wankhede, Advocate

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

Order On Board

11/07/2017

1. With the consent of learned counsel for the parties, the matter is heard finally.
2. The main ground of challenge is to the jurisdiction of the authority, who has passed the order of transfer on the submission that the competent authority is the Chief Executive Officer, Janpad Panchayat, Rajnandgaon, who could affect the transfer order.
3. Learned State counsel submits that the transfer order was issued after the file was circulated through CEO, Janpad Panchayat. He,

however, submits that in case the transfer is required, appropriate order may be passed by the CEO, Janpad Panchayat and the impugned order in the present form shall not be given effect to against the petitioner.

4. In view of the aforesaid submission, instead of keeping the matter pending, I am inclined to dispose off the matter with the direction that the impugned order against the petitioner shall not be given effect to though the CEO, Janpad Panchayat shall have liberty to pass order of transfer.

5. The petition is disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge