

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 3295 of 2016

Ram Naresh Bagri S/o Ram Bhagat, Aged About 49 Years
Occupation Service, Presently Posted And Working As Patwari, P H
No. 25, Tendua, R I Circle Kota, Tahsil Kota, District Bilaspur
(Chhattisgarh).

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Revenue & Disaster Management, Mahanadi Mantralaya, Naya Raipur, Post Office & Police Station Naya Raipur, District Raipur (Chhattisgarh).
2. Collector, (Land Record Branch), Bilaspur, District Bilaspur (Chhattisgarh).
3. Sub Divisional Officer (Revenue), Kota, District Bilaspur (Chhattisgarh).
4. Tahsildar, Kota, District Bilaspur (Chhattisgarh).

---Respondents

For Petitioner	:	Mr. Gagan Tiwari, Advocate under instructions of Mr. Rajeev Shrivastava, Advocate
For State	:	Ms. M. Asha, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy

Order on Board

11/09/2017

1. Present is a petition which has been filed assailing the order of transfer dated 12.07.2016, whereby the petitioner who is a Patwari was transferred from Patwari Halka No. 6 Kenda, Up-Tehsil Ratanpur, Tehsil Kota to Patwari Halka No.25 Tendua, Tehsil Kota.
2. The petitioner in the instant case was granted an interim protection vide order dated 01.08.2016 by this Court and which has further been continued till now, as such the petitioner by virtue of the interim order has continued at the present place of posting uninterruptedly.
3. The fact that the petitioner has remained in present place of posting with the aid of the interim relief for a period of more than one year,

this Court is of the opinion that no fruitful purpose would be served in keeping the petition pending and therefore this Court intends to dispose of the writ petition with a direction holding that the respondents shall not insist for the compliance of the order so far as the petitioner's transfer is concerned, however the respondents shall be at liberty to pass a fresh order in the event of an administrative exigency.

4. The writ petition accordingly is allowed in part and disposed of with a direction that the respondents shall not insist for compliance of the order of transfer issued against the petitioner vide the impugned order, reserving the right of the State Government to pass a fresh order of transfer, if the exigency of service so requires.
5. The writ petition thus stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

Ved