

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No.5393 of 2017

- Krishna Das Vaishnav S/o Shri T. D. Vaishnav Aged About 56 Years Working As Upper Division Teacher And Posted At Govt. Middle School Nigarband, Block Takhatpur, District Bilaspur, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Department Of School Education, Mahanadi Bhawan, Mantralaya, New Raipur, District Raipur, Chhattisgarh.
2. Director Directorate Public Instruction, Raipur, District Raipur, Chhattisgarh.
3. District Education Officer, Bilaspur, District Bilaspur, Chhattisgarh.

---- Respondents

For Petitioner	:	Shri Ajay Shrivastava, Advocate
For Respondent/State	:	Shri S. P. Kale, Dy.AG

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

11/10/2017

Heard.

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 wherefrom he was suspended.
3. On the other hand, learned counsel for the respondent 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 wherefrom he was suspended.

5. Respondent 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