

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 6049 of 2017**

- A. K. Patre S/o Late Feru Ram Patre Aged About 46 Years
R/o Qtr No. 1360 / 2 Railway Wireless Colony, Bilaspur
Chhattisgarh.

---- Petitioner**Versus**

1. Union Of India Through General Manager , South East
Central Railway , New G M Building Bilaspur Chhattisgarh
495004
2. Senior Divisional Security Commissioner , Railway
Protection Force , South East Central Railway Bilaspur
Chhattisgarh 495004 .
3. Assistant Security Commissioner- 2 Railway Protection
Force, South East Central Railway Bilaspur Chhattisgarh
495004 .

---- Respondent

For Petitioner
For Respondents

Shri A.V. Shridhar, Advocate.
Shri H.S. Ahluwalia, Advocate.

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****21/11/2017**

1. Petitioner is aggrieved by the impugned order whereby,
while reinstating him, he has been posted at a different
place than the one where he was working on the date of
suspension.

2. On the last date of hearing, learned panel counsel for the Railways had sought time to seek instructions in the matter, in view of the law laid down by this Court in WPS No. 217 of 2015 (**Prakash Narayan Tiwari vs State of Chhattisgarh and others**).
3. Today, Shri Ahluwalia submits that the legal position settled by this Court cannot be disputed, therefore, if this Court interferes in the matter, liberty may be reserved to the respondents to pass fresh order in respect of petitioner's posting, depending upon the administrative exigency.
4. Considering the issue brought before this Court and for the fact that the matter in issue is squarely covered by the judgment rendered by this Court in **Prakash Narayan Tiwari** (supra), the writ petition is disposed of with a direction that the respondents shall not give effect to the impugned order and allow the petitioner to work on the post, where he was working on the date when he was suspended, however, the respondents would be at liberty to pass fresh order, if the administrative exigency so requires, in respect of petitioner's posting.
5. Accordingly, the writ petition stands disposed of.

Sd/-

Judge
Prashant Kumar Mishra

Akhilesh