

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 3553 of 2016**

- A.K.Saxena S/o Shri R. N. Saxena, Aged About 55 Years Occupation Service, Working As Sub Divisional Officer, Forest Dongargarh, Forest Division Khairagarh, Distt. Rajnandgaon (Chhattisgarh)

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Chief Secretary, Forest Department, Mantralaya, Mahanadi Bhawan, New Raipur (Chhattisgarh)
2. The Under Secretary, State Government Of Chhattisgarh, Forest Department, Raipur (Chhattisgarh)
3. Shri M. S. Taram, Attached Officer, Forest Division Gariyaband District Gariyaband (Chhattisgarh)

---- Respondent

For Petitioner	Mr. Awadh Tripathi, Advocate
For Respondent /State	Mr. Y.S. Thakur, Addl. AG
For Respondent No.3	Mr. Fouzia Mirza, Advocate

Hon'ble Shri Justice Prashant Kumar Mishra
Order On Board

11/4/2017

1. Heard.
2. The petitioner is aggrieved by the impugned order, whereby, his earlier executed transfer order has been cancelled and in his place, respondent No.3 has been posted. By interim order dated 10.8.2016, this Court has directed that the petitioner shall be allowed to continue at the place, where he has already joined in execution of the earlier transfer order.

3. Mrs. Fouzia Mirza, learned counsel for respondent No.3, would submit that pursuant to the impugned order, respondent No.3 has also joined at the place and he is working there since August 2016.
4. On pointed query, learned counsel for the petitioner and respondent No.3 as well, as to whether there is any difficulty to either of them in receiving the salary from one place, learned counsel would submit that their respective parties have not issued any such instructions to them.
5. It appears, the Department has accommodated both the petitioner and respondent No.3, at the same place. Moreover, respondent No.3 is attaining the age of superannuation in the month of September 2017 i.e. in about 5 months.
6. Considering the entire facts' situation of the case, particularly for the fact that the petitioner is not aggrieved by the joining of respondent No.3 at the place, the writ petition is disposed of with observation that till September 2017, the petitioner as well as respondent No.3 shall be allowed to continue at the place and thereafter, the State Government would be at liberty to pass fresh order depending upon administrative exigency.

Sd/-

Judge

(Prashant Kumar Mishra)

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