

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****Writ Petition (S) No. 954 of 2017**

Smt. Jasinta Toppo W/o Norbal Lakda, aged about 56 years, Project Officer, Child and Women Development Department, Block Lailunga, District Raigarh (Chhattisgarh)

---- Petitioner**Versus**

1. State of Chhattisgarh through the Secretary, Child and Women Development Department, Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur (Chhattisgarh)
2. Director, Sanchalnalaya, Child and Women Development Department, Indrawati Bhawan, New Raipur, District Raipur (Chhattisgarh)
3. Collector, Raigarh, District Raigarh, (Chhattisgarh)
4. District Programme Manager, Child and Women Development Department, Raigarh, District Raigarh, (Chhattisgarh)
5. Smt. Balmadina Bhagat, Project Officer, Child and Women Development, Mukdega, District Raigarh, (Chhattisgarh)

---- Respondents

For Petitioner	:	Shri C. J. K. Rao, Advocate
For Respondents/State	:	Shri S. P. Kale, Dy. Advocate General

Hon'ble Shri Justice P. Sam Koshy**Order On Board****01/03/2017**

Grievance of the petitioner in the present petition is that she was posted at Block Lailunga, District Raigarh as a Project Officer, Child and Women Development. Vide the impugned orders dated 26.12.2015 and 06.01.2017, the financial power of the petitioner has been withdrawn and the same has been conferred upon respondent no.5 who is posted at a different Block i.e. Mukdega.

2. Contention of the counsel for the petitioner is that since the posting of the petitioner at Block Lailunga was made by the State Government, the power of taking away the financial charge of the petitioner is also with the State Authority only, and the same cannot be exercised by the Collector.

He further submits that the petitioner has made representations in this regard on 29.12.2015 and subsequently on 11.01.2017 to the Collector, Raigarh as well as to the District Programme Manager, Raigarh respectively but no decision has been taken on the said representations.

3. Taking into consideration the aforesaid facts and circumstances of the case, let the petitioner make a fresh representation in this regard giving details of her grievances to respondent no.1 within a period of 15 days from today and on receipt of the same, respondent no.1 in turn shall personally investigate the matter as to under what circumstances the impugned orders Annexure P-2 dated 26.12.2015 and Annexure P-1 dated 06.01.2017 were passed necessitating upon taking over the financial power of the petitioner and thereafter shall pass an appropriate order within a period of 45 days from the date of receipt of fresh representation of the petitioner. The respondent no.1 shall also decide whether such an order could be issued by the Collector or in other words whether it is within the power of the Collector to pass such an order.

4. With the aforesaid direction, the present writ petition stands disposed of.

**Sd/-
(P. Sam Koshy)
JUDGE**