

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 1025 of 2017**

- Pankaj Verma S/o Shri Late H M Verma, Aged About 52 Years R/o Sundar Nagar, P S - Purani Basti, Raipur District Raipur (Chhattisgarh)

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Department Of Social Welfare, Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur (Chhattisgarh)
2. Under Secretary, Department Of Social Welfare, Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur (Chhattisgarh)
3. Director, Office Of Social Welfare, District Raipur (Chhattisgarh)
4. Collector, Surguja, Ambikapur (Chhattisgarh)

---- Respondents

For Petitioner:	Mr. Kishore Bhaduri, Advocate
For State :	Mr. B. Gopa Kumar, Dy. Advocate General

Hon'ble Shri Justice P. Sam Koshy**Order on Board****01.03.2017**

1. The limited grievance of the Petitioner is issuance of order dated 01.02.2017 whereby the Petitioner was working as Deputy Director, Social Welfare Department at District Surguja who was also having additional charge as Deputy Director, Social Welfare District Bilaspur and by the impugned order has been relieved of the additional charge.
2. The grievance of the Petitioner is that by virtue of the impugned order the work the Petitioner was discharging prior to the impugned order being passed has been taken away. His main grievance is that the Petitioner who is substantively posted at District Sarguja is not getting his salary from the Ambikapur for the last 8-9 months. He submits that vide the impugned order his additional charge has been taken away without there being any strong allegation, misconduct or misappropriation charge against him.

3. Without entering into the merits of the case this Court is not inclined to entertain the Writ Petition only on the ground that the impugned order which the Respondents have passed taking away the additional charge which was conferred upon the Petitioner was on account of the said post lying vacant at Bilaspur. The said post is now filled up by some other person. Taking away of the additional charge which was conferred upon the Petitioner cannot be considered as an infringement of any of the rights of the Petitioner as the substantive posting of the Petitioner is at Ambikapur and he is still continuing at Ambikapur and also he is enjoying the same status it prior to the issuing of the impugned order except of being relieved of his additional charge.
4. Further, it is directed that the Respondent No.1 the Secretary Department of Social Welfare to look into the case of the Petitioner so far as his grievance of salary being not paid though all along he is discharging his duties of Deputy Director, Social Welfare at Ambikapur. It is directed that Respondent No.1 to take appropriate steps for the release of his salary. The Respondent No.1 should pass an appropriate order in this regard within a period of 45 days from the receipt of certified copy of this order. The Respondent No.1 shall also look into the aspect as to whether the Collector, Ambikapur has the power to stop the salary of the Petitioner and if not appropriate order be passed within the period stipulated.
5. The Writ Petition with the aforesaid observation stands dismissed.

Sd/-

(P. Sam Koshy)
JUDGE