

HIGH COURT OF CHHATTISGARH, BILASPUR

Writ Petition (S) No.1127 of 2017

Sanjay Kumar Kaushik S/o Late Shri Ramayan Prasad Kaushik, Aged About 39 Years R/o Village Hanfa, Post Sakri, Police Station Chakarbhata, Tahsil Takhatpur, District Bilaspur (Chhattisgarh).

---- **Petitioner**

Versus

1. State Of Chhattisgarh Through Its Secretary, Department Of Food, Civil Supplies And Consumer Protection, Mahanadi Mantralaya, Police Station & Post Rakhi, New Raipur, District Raipur (Chhattisgarh)
2. Collector, Food Branch, Office Of Collectorate, Distt. Sukma (Chhattisgarh)
3. Food Controller, Office Of Collectorate, Food Branch, Raipur, Distt. Raipur (Chhattisgarh)
4. District Food Officer, Collectorate Office, Food Banch, Sukma, District Sukma (Chhattisgarh).
5. District Food Officer, Office Of District Food Officer, Collectorate Office, Raipur, Distt. Raipur (Chhattisgarh).

---- **Respondents**

For Petitioner	:	Shri Abhishek Pandey, Advocate.
For respondent/State	:	Shri Gary Mukhopadhyay, Dy G.A.

Hon'ble Shri Justice P. Sam Koshy

Order On Board

07/03/2017

1. The grievance of the petitioner is that, his application for grant of Earn Leave and Medical Leave which has been sought for by the petitioner was not being accepted by the respondents employer on account of non availability of service book. In addition, the GPF pass book of the petitioner is also not received from the earlier place of posting.
2. It is a case where the petitioner is working as Food Inspector. He was initially posted at Dornapal under the respondent No.4, District Food Officer, Sukma. In between, he was transferred from Dornapal to Konta, Distt. Sukma. Later on he was again transferred from District Sukma to District Raipur vide order dated 30.07.2016. He complied with both the transfer orders and accordingly assumed his duties at Raipur on 04.10.2016. Though the petitioner has

joined his duties at Raipur in the month of October, 2016, till date his service book and GPF pass book has not been received from the office of Respondent No.2. For want of service book, the respondents are finding it difficult in releasing/sanctioning Earned Leave which the petitioner applies.

3. Be that as it may, without entering into the merits of the case, the present petition is disposed of with a direction to the respondent No.2-Collector, Food Branch, Sukma, to forthwith release the service book as well as GPF pass book of the petitioner to his present place of posting i.e. in the office of Food Controller, District Raipur.
4. It is pertinent to note that the Food Controller, Raipur, vide its letter dated 30.11.2016 (Annexure P/1) had already requisitioned the same but till date the same has not been received in the office of respondent No.3.
5. It is expected that the respondent No.2 shall forthwith release the same to the office of Food Controller, Raipur. Let this exercise be done within a period of 45 days from the date of receipt of certified copy of this order in the office of respondent No.2.
6. With the aforesaid observations, the writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge