NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 5651 of 2016

Bhav Singh Sahu S/o Shri Chokhuram Sahu Aged About 60 Years Occupation- Internal Account Audit And Taxation Officer, Janpad Panchayat, Doundi Lohara, District- Balod (Chhattisgarh)

---- Petitioner

Versus

State Of Chhattisgarh Through- Secretary, Panchayat And Rural Development Department, Mahanadi Bhawan, New Mantralay, Raipur, Chhattisgarh

---- Respondent

For Petitioner	:	Shri Rajesh Kumar Kesharwani, Advocate
For State	:	Shri Ramakant Mishra, Dy. A.G.

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

16/03/2017

Heard.

1. Though respondent-State was granted last opportunity to file reply, no reply has been filed.

2. The ground of challenge to impugned order dated 26.7.2016 is that by the impugned order, the petitioner is being reverted to lower post of Assistant Internal Account Audit and Taxation Officer, whereas in the year 2010, the petitioner was substantively appointed as Internal Account Audit and Taxation Officer.

3. The entire basis of challenge rests on the order dated 15.7.2010, perusal of which shows that the petitioner was posted on the post of Internal Account Audit and Taxation Officer by way of ad hoc and interim arrangement. The order does not even show that it was a case of an ad hoc promotion. At the most, the order indicates that this was a current charge arrangement. Therefore, the petitioner did not have the right to hold the higher post. According to this order, the petitioner is substantively holding the post of Assistant Internal Account Audit

and Taxation Officer only.

4. Except this, no other ground was urged. In view of above, I do not find any merit in the petition. The petition is liable to be dismissed and is accordingly dismissed.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Praveen