

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WA No. 29 of 2018**

- Dr. Anand Singh Raghuvanshi S/o Late Shri M. S. Raghuvanshi Aged About 47 Years Occupation Assistant Veterinary Surgeon Veterinary Hospital Belgahna Block Kota District Bilaspur Chhattisgarh.

---- Appellant**Versus**

1. State Of Chhattisgarh Through Secretary Department of Animal Husbandry And Veterinary Services, Mahanadi Bhawan Mantralaya New Raipur District Raipur Chhattisgarh.
2. The Under Secretary Department of Animal Husbandry And Veterinary Services Mahanadi Bhawan Mantralaya New Raipur District Raipur Chhattisgarh.
3. The Director Directorate of Veterinary Services Indrawati Bhawan Block 3, Ground Floor Naya Raipur Tahsil And District Raipur Chhattisgarh.
4. Dr. Anjani Kumar Pandey, Veterinary Assistant Surgeon Government Poultry Fram Baikunthpur District Koriya Chhattisgarh., District : Koriya (Baikunthpur), Chhattisgarh

---- Respondents

For Appellant	:	Shri Jitendra Pali, Advocate
For Respondent	:	Shri R.K. Gupta, Deputy Advocate General

Hon'ble Thottathil B. Radhakrishnan, Chief Justice**Hon'ble Shri Justice Sharad Kumar Gupta****Order on Board****Per Thottathil B. Radhakrishnan, Chief Justice****02.02.2018**

1. This writ appeal is confined to the issue whether the learned Single Judge was justified in dismissing WPS No.2228 of 2017 filed by the Appellant. Before the learned Single Judge that writ petition filed by the Appellant, a Veterinary Surgeon, and another writ petition filed by another Veterinary Surgeon were considered together. Matter relates to transfer and posting of Government servants.
2. Heard the learned Advocate for the Appellant and the learned Deputy Advocate General.

3. As is clear from the statements in paragraph 3 of the impugned judgment, which are not disputed in this appeal, the appellant was given the benefit of interlocutory order to maintain status-quo pending consideration of the representation that he had submitted. That representation was decided against the interest of the appellant. That decision was placed on record by the department. Yet the appellant did not challenge that adverse decision of the State Government issued on the representation. Without levying the challenge to that decision, the appellant cannot not make out any case to challenge the impugned order.
4. For the aforesaid reasons, this writ appeal is dismissed clarifying that the impugned order or this appellate order will not stand in the way of the appellant seeking relief in appropriate jurisdiction in accordance with law as against the State Government's decision which is referred to as Annexure-R/1 in paragraph 3 of the impugned judgment.

Sd/-

(Thottathil B. Radhakrishnan)
Chief Justice

Sd/-

(Sharad Kumar Gupta)
Judge