

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 62 of 2018

Ram Kumar Rajwade S/o Late Shri Matuk Ram Rajwade, Aged About 45 Years Working On The Post Of Panchayat Secretary, Janpad Panchayat Baikunthpur, R/o Village Rakya, Post Chhindand, District Koriya, Baikunthpur Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary Panchayat And Rural Development Department, Mahanadi Bhawan, Naya Raipur, District Raipur Chhattisgarh.
2. Chief Executive Officer Zila Panchayat, Koriya, District Koriya Baikunthpur Chhattisgarh.
3. Chief Executive Officer Janpad Panchayat, Baikunthpur, District Koriya Baikunthpur Chhattisgarh.
4. Village Panchayat Amarpur Through The Sarpanch, Post Mansukh, District Koriya, Baikunthpur Chhattisgarh.

---- Respondents

Shri V.K.Pandey, counsel for the petitioner/s.
Shri A.S.Kachhawaha, Addl. A.G. for the State.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

05/01/2018

Grievance of the petitioner raised in this petition is that upon revocation of suspension, the petitioner is being posted at a place other than where he was working at the time of suspension.

2. It is submitted that this legal issue has been decided by this Court in large number of cases and it has become a settled legal position that upon revocation of suspension, the employee is required to be posted at the same place wherefrom he was suspended.

3. On the other hand, learned counsel for respondent No.2 submits that because of the exigency of service it has been decided that the petitioner should be posted at

some other place, therefore, the impugned order has been passed.

4. This Court in the case of *Vijay Vajpayee v. State of Chhattisgarh and others*, W.P.(S) No. 4921/2014, decided on 18.09.2014 has held that once an employee is suspended, upon revocation he is required to be posted at the same place wherefrom he was suspended.

5. Respondent No.2 is directed to pass appropriate order posting the petitioner at the place wherefrom he was suspended.

6. This order, however, shall not come in the way of transfer of the petitioner, in times to come, on administrative exigency.

7. The writ petition stands disposed off. No order as to cost(s).

Sd/-
(Manindra Mohan Shrivastava
Judge