

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 133 of 2018

Ramkrishna Singh Kushwaha Son Of Late Gyan Singh Kushwaha, Aged About 57 Years Resident Of Quarter No. N. G. 25, Rajasva Colony, Rampur, Korba, Tahsil And District Korba, Chhattisgarh.

---- **Petitioner**

Versus

1. State Of Chhattisgarh Through The Secretary, Agriculture And Bio Technology Department, Mantralaya, Mahanadi Bhawan, New Raipur, Chhattisgarh.
2. The Under Secretary, Agriculture And Bio Technology Department, Mantralaya, Mahanadi Bhawan, New Raipur, Chhattisgarh.
3. The Director, Horticulture And Field Forestry, New Raipur, Chhattisgarh.
4. The Collector, Korba, District Korba, Chhattisgarh.
5. Ajay Kushwaha, Assistant Director (Horticulture), Ambikapur, District Surguja, Ambikapur, Chhattisgarh.
6. Kailash Paikra, Posted As Deputy Director (Horticulture), Ambikapur, District Surguja, Chhattisgarh. Before Promotion He Was Posted As Assistant Director, Horticulture, District Koriya, Chhattisgarh.

-Respondents

For Petitioner	:	Mr. Gautam Khetrapal, Advocate
For State/respondents No.1 to 4	:	Mr. Syed Majid Ali, Dy. G.A.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

08.01.2018

Heard.

1. The petitioner has come out with the grievance that though vide order dated 21.12.2017, respondent No.5 has been posted as Assistant Director (Horticulture), District Korba, the petitioner who is presently holding the charge of the Post of Assistant Director (Horticulture) Korba, having been posted vide State Government's order dated 23.07.2016, has not been given posting elsewhere either in his substantive post of Senior Horticulture Development

Officer or In-Charge position in any other vacant post of Assistant Director.

2. Though respondent No.5 substantively is a regular incumbent of the post of Assistant Director, therefore, he can be posted at the present place where the petitioner is working, the petitioner is entitled to an appropriate posting either in his substantive post of Senior Horticulture Development Officer or any In-charge assignment of the higher post. Therefore, in these circumstances, it is directed that the respondent shall issue appropriate order of posting of the petitioner and till the order of posting of the petitioner is not issued, if not already issued, the petitioner shall not be compelled to handover the charge.

3. The petition is disposed off accordingly.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Rekha