

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 7304 of 2017

Rahul Thakur Son Of Late Maan Singh Thakur, Aged About 28 Years Caste Rajput, Add. Peon, Office Of The Chief Medical Officer, Agrsen Squire, District North Bastar, Kanker, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Health Department, Mantralaya, New Raipur, District Raipur, Chhattisgarh.
2. The Chief Medical And Health Officer, District North Bastar, Kanker, Chhattisgarh.
3. The Block Medical Officer, Block Durgukondal, District North Bastar, Kanker, Chhattisgarh.

---- Respondent

For Petitioner	:	Shri Vikash Shrivastava, Advocate
For State	:	Shri D.R. Minj, Dy. Govt. Advocate

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

Order On Board

02/01/2018

Heard.

1. By this petition, the petitioner has challenged the order dated 12.10.2017 on the ground that after revocation of suspension, the petitioner is required to be posted at the same place where from he was suspended. In support of his contention, learned counsel for the petitioner relied upon order dated 7.7.2015 passed in WPS No.217 of 2015 (*Prakash Narayan Tiwari Vs. State of C.G.*).
2. On the other hand, learned counsel for the respondents opposed the same by submitting that clause (13) of FR 9 and FR 13 of the Fundamental Rules conferred power on the authority to place an officer on any other place after revocation of suspension.

3. As consistent view has been taken with regard to legal issue involve in this case as reflected from order dated 7.7.2015 passed in WPS No.217 of 2015 and in other cases, I am inclined to allow the petition.
4. The petition is accordingly allowed. Respondents are directed to post the petitioner at the same place where from he was suspended.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Praveen