

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 1980 of 2018

Smt Ruphina Khalkho W/o E Khalkho Aged About 60 Years R/o
Village And Post Janakpur, Tahsil Bharatpur, District Koriya,
Chhattisgarh., District : Koriya (Baikunthpur), Chhattisgarh

---- Petitioner

Versus

1. State Of Chattisgarh Through Secretary, Department Of Tribal And Welfare Department, Mahanadi Bhavan, Mantralaya, New Raipur, District Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
2. Additional Commissioner Tribal Development, District Koriya, Chhattisgarh., District : Koriya (Baikunthpur), Chhattisgarh
3. Smt Madhubala Singh (Assistant Teacher Panchayat) Hostel Superintendent , Adivasi Kanya, Ashram, Janakpur, District Koriya, Chhattisgarh., District : Koriya (Baikunthpur), Chhattisgarh
4. The Collector District Baikunthpur Koriya, Chhattisgarh., District : Koriya (Baikunthpur), Chhattisgarh

---- Respondents

For Petitioner : Mr. Parag Kotecha, Advocate.

For State : Mr. Satish Gupta, GA

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order on Board

05/03/2018

1. The challenge laid in this petition is to the impugned order dated 23-01-2018 whereby the charge of the office of the superintendent which was the petitioner holding has been given to respondent No. 3.

2. It is contented that the contents of the affidavit filed before the authority against shows that complaint is not correct. It is alleged that the person who for the time being has been asked to discharge the duties is competent. After going through the impugned order dated 23-01-2018, it is clear that it is only for a time being arrangement because certain complaint

has been received, in the administrative exigencies the petitioner should not be allowed to discharge the duties of the office. If the petitioner has a case that the complaint is false, the petitioner should pursue his representation before the authority who passed the impugned order by submitting representation including affidavit which has been filed before this Court. The authority shall examine the complaint as soon as possible and if complaint is found to be baseless, it goes without saying that petitioner would be entitled to be posted back at the place from where he has been temporarily shifted under the impugned order.

3. Accordingly, the petition is disposed off.

Sd/-

(Manindra Mohan Shrivastava)

Judge