

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 2879 of 2018

R.B. Rai S/o Late B. Rai, Aged About 58 Years R/o Block Colony, Ramanujganj, Tahsil Ramanujganj, District Balrampur Ramanujganj, Chhattisgarh., District : Balrampur, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, School Education Department, Mahanadi Bhawan, Mantralaya, Capital Complex, New Raipur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. Collector, Balrampur Ramanujganj, District Balrampur Ramanujganj Chhattisgarh., District : Balrampur, Chhattisgarh
3. District Education Officer, Balrampur, Ramanujganj, District Balrampur, Ramanujganj Chhattisgarh., District : Balrampur, Chhattisgarh

---- Respondents

For Petitioner	:	Shri Vikram Dixit, Advocate
For State	:	Shri Ramakant Mishra, Dy.A.G.

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

Order On Board

09/04/2018

Heard.

1. The only ground requiring indulgence in the present case is that the petitioner's posting order has been amended after the petitioner joined at Ramanujganj.
2. Learned counsel for the State would submit that reason for amendment of earlier posting order was based on administrative exigency because there were certain complaints against the petitioner's functioning even at the place where he is now posted at Ramanujganj.

3. Even for the sake of arguments, it is assumed that there was an administrative exigency, the same is required to be remedied only in accordance with law. Once the petitioner had joined at new place, the executed order cannot be amended. Therefore, impugned order cannot be allowed to be sustained and is accordingly set aside, however, with liberty to the respondents to pass fresh order.
4. The petition is accordingly allowed in the manner and to the extent indicated above.

Sd/-
(Manindra Mohan Shrivastava)
Judge