

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 7265 of 2017

Smt. Jyoti Lakda W/o Shri Rajendra Lakda, Aged About 36 Years
Working As Assistant Teacher panchayat, R/o Village Devendra Nagar,
Jarhabhata, District Bilaspur, Chhattisgarh, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Panchayat
Mahanadi Bhawan, Mantralaya, New Raipur, District Raipur,
Chhattisgarh., Chhattisgarh
2. Chief Executive Officer, Janpad Panchayat Masturi District Bilaspur
Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Ajay Shrivastava, Advocate
For State/Respondent	:	Mr. Manish Nigam, PL

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

09/03/2018

Heard.

1. 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 she 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 she was suspended.
3. On the other hand, learned counsel for the respondent 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 18-9-2014 has held that once an employee is suspended, upon revocation she is required to be posted at the same place wherefrom she was suspended.
5. Respondent is directed to pass appropriate order posting the petitioner at the place wherefrom she 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 of.
8. No order as to cost(s).

Sd/-

(Manindra Mohan Shrivastava)
Judge