

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 1362 of 2017**

Smt. Mallika Rai W/o Sudeep Mukharjee, Aged About 31 Years,
Shiksha Karmi Grade-1, R/o House No. 382, FCI Colony, Changora
Bhata, Bazar Chowk, Near Vijay Chowk, Raipur, Tahsil And District
Raipur, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Panchayat And Rural Development Department, Mantralaya, Mahanadi Bhawan, New Raipur, District- Raipur, Chhattisgarh
2. Chief Executive Officer, Zila Panchayat Surguja, Chhattisgarh
3. Chief Executive Officer, Zila Panchayat Raipur, Chhattisgarh

---- Respondents

For Petitioner	:	Shri Keshav Prasad Gupta, Advocate
For State	:	Shri D. Wankhede, Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****11.12.2018**

The challenge in the present writ petition is to the order Annexure P-1 dated 17.08.2016 as well as 24.09.2016.

2. The facts of the case are that the petitioner while working on the post of Shiksha Karmi Grade-1 was transferred from Ambikapur to Raipur vide order dated 28.05.2016. Pursuant to the order of transfer, the petitioner joined her duties at Raipur on 01.06.2016. Having joined her duties at Raipur, the respondents after about 2 months time vide order dated

17.08.2016 cancelled the order dated 28.05.2016. The said order was questioned before the High Court in WPS No. 3371 of 2016 which was disposed of on 04.08.2016 directing the respondents for deciding the representation of the petitioner, pursuant to which, the impugned order dated 24.09.2016 was passed which is under challenge in the present writ petition.

3. This Court on 21.03.2017 had granted an interim protection to the petitioner permitting her to remain at the transferred place i.e. at Raipur. Pursuant to the interim protection granted by this Court, the petitioner continues her duties at Raipur for about 2 ½ years.

4. In view of the aforesaid factual matrix of the case, this Court is of the opinion that the two impugned orders by efflux of time have lost their efficacy. Thus, the writ petition stands disposed of directing the respondents not to act upon the two impugned orders any further reserving the right of the respondents to pass a fresh order in case administrative exigency so requires.

**Sd/-
P. Sam Koshy
Judge**