

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 7426 of 2018

Prakashmani Sahu S/o Late T.D. Sahu Aged About 57 Years Presently Working As In-Charge Executive Engineer At Project Implementation Unit No. 1, Chhattisgarh Rural Road Development Authority, Bijapur, (CGRRDA) District- Bijapur, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Panchayat And Rural Development Department, Mahanadi Bhawan, New Raipur, Chhattisgarh
2. Chief Executive Officer Chhattisgarh Rural Road Development, Authority, Civil Lines Raipur, District- Raipur, Chhattisgarh
3. Collector Bijapur, District- Bijapur, Chhattisgarh.
4. Executive Engineer Project Implementation Unit No.1, Chhattisgarh Rural Road Development Authority, Bijapur, (CGRRDA) , District- Bijapur, Chhattisgarh
5. G. K. Kashyap Through Assistant Engineer CGRRDA, Unit No.1, Chhattisgarh Rural Road Development Authority, Narayanpur, District- Narayanpur, Chhattisgarh

---Respondents

For Petitioner	:	Mr. C. Jayant K. Rao, Advocate
For State	:	Mr. Chandresh Shrivastava, P.L.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

13/11/2018

1. The grievance of the petitioner in the present writ petition is the order Annexure P/1 dated 05.10.2018 whereby the respondent No.5 has been posted at the place where the petitioner is presently discharging his duties.
2. The petitioner on an earlier occasion was transferred from Bijapur to Jagdalpur vide order dated 10.09.2018. The petitioner challenged the same vide WPS No. 6319/2018. This Court vide its order dated 26.09.2018 disposed off the writ petition granting an interim protection to the petitioner to make a representation and till the

representation is decided, the petitioner would be permitted to remain at his earlier place of posting i.e. at Bijapur. The petitioner immediately has made a representation also which is pending consideration as per the contention of the petitioner.

3. Before a decision on the representation could be taken, the respondents have now issued the impugned order dated 05.10.2018, whereby the respondent No.5 has been ordered to be posted at the place where the petitioner is presently discharging his duties. According to the petitioner, this impugned order is coming in the way of the petitioner in discharging his normal duties as the respondents-State authorities are insisting upon granting joining to the respondent No.5 in place of the petitioner, which would further complicate the issue.
4. The aforesaid factual matrix is not disputed by the State counsel, however he only is apprehending whether the representation made by the petitioner has been decided or not.
5. Given the aforesaid facts and circumstances of the case this Court is of the opinion that let the respondent No.1 take an early decision on the representation which the petitioner has made pursuant to the order passed by this Court in WPS No. 6319/2018 dated 26.09.2018 and till then the impugned order dated 05.10.2018 so far as the respondent No.5 is concerned be kept in abeyance.
6. Needless to mention that the interim order granted in the present writ petition would be applicable only till the earlier representation preferred by the petitioner is decided by the authorities is concerned.

7. With the aforesaid observations, the present writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge

Ved