

HIGH COURT OF CHHATTISGARH AT BILASPUR**Writ Petition (S) No. 7883 of 2018**

B. M. Tayde S/o Shri M. B. Tayde, Aged About 38 Years, R/o At Post- Kapustalni, Tehsil Anjan Gaon (Surji), Amravati, Maharashtra, 444705

---- Petitioner

Versus

1. Union Of India Through The Principal Secretary, Ministry Of Railways, Government Of India, Rail Bhawan, New Delhi
2. Director General, Railway Board (RPF) Ministry Of Railways, Government Of India, New Delhi
3. Principal Chief Security Commissioner, Railway Protection Force, S E C R, Bilaspur Division, Bilaspur, Chhattisgarh
4. Divisional Security Commissioner, Railway Protection Force, S E C R, Raipur , Chhattisgarh
5. Assistant Security Commissioner, Railway Protection Force, Post Durg Division, Durg Chhattisgarh
6. Inspector In Charge, Railway Protection Force, Post Durg, Chhattisgarh

---- Respondents

For petitioner	:	Shri Sangeet Kumar Kushwaha, Advocate.
For Respondents	:	Shri Ghanshyam Patel under instruction of Shri Abhishek Sinha, Advocate

Hon'ble Shri Justice P. Sam Koshy

Order on Board

12/12/2018

The challenge primarily in the present writ petition was to the order Annexure P-1 dated 31.07.2018 whereby the services of the petitioner were transferred from Durg to New Jalpaigudi.

2. Pending the writ petition there is an development in the nature of a representation being made by the petitioner himself which the respondents have enclosed as Annexure R-1 dated 14.11.2018. Annexure R-1 is a correspondence made by the petitioner to the higher authorities in the department for considering his case sympathetically and transferring him in the RPF at any of the stations under the Central Railway. The order of the petitioner was considered by the authority concerned and an order was passed by the Railway Board on 28.11.2018 which is marked as Annexure R-2. By the said order the petitioner has been transferred as Constable to the Central Railway with no loss to his seniority.

3. Given the fact that the impugned order has since been modified vide order dated 28.11.2018 Annexure R-2, this Court is of the opinion that the substantial grievance of the petitioner stands redressed and the writ petition has rendered infructuous.

4. The only relief left for is in respect of the salary for the intervening period from 21.07.2018 till date. So far as the monetary claim if any is concerned, let the petitioner approach the higher authorities in the department by moving an appropriate representation confining his monetary claim and the respondents in turn shall decide the same in accordance with the rules and regulations as early as possible.

5. The writ petition stands disposed of.

Sd/-

**(P. Sam Koshy)
JUDGE**