

HIGH COURT OF CHHATTISGARH AT BILASPURWPS No. 7713 of 2018

Laxman Lal Sharaff S/o Late Shri Jeevan Lal Sharaff, Aged About 56 Years, Working Block Education Officer, At Block Office Akaltara, Distrtict- Janjgir-Champa, Chhattisgarh.

---Petitioner

Versus

1. State Of Chhattisgarh, Through Secretary, Department Of Tribal, Mahanadi Bhawan, Mantralaya, New Raipur, District- Raipur, Chhattisgarh.
2. Secretary, Department Of Education, Mahanadi Bhawan, Mantralaya New Raipur, District- Raipur, Chhattisgarh.
3. Director, Directorate Public Instruction, Chhattisgarh, Indrawati Bhawan, First Floor, Atal Nagar, Raipur, District- Raipur, Chhattisgarh.
4. Collector And District Election Officer, Janjgir, District- Janjgir-Champa, Chhattisgarh.
5. District Education Officer, Janjgir, District- Janjgir-Champa, Chhattisgarh.
6. Chief Election Commissioner, At Election Office, Shashtri Chowk, Purana Mantralaya, Raipur, District- Raipur, Chhattisgarh.
7. Chandra Kumar Dhritlahre, Working As Block Education Officer, At Akaltara, District- Janjgir-Chapa, Chhattisgarh.

---Respondents

For petitioner	:	Shri Ajay Shrivastava, Advocate.
For State	:	Shri Dheeraj Wankhede, Government Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

28/11/2018

1. The grievance of the petitioner in the instant Writ Petition is that, though the petitioner was transferred vide order dated 04/10/2018 from the office of the Block Education Officer, Akaltara to Block Education Officer, Raigarh

and the petitioner also having assumed his duties, he has not been given charge of the said post.

2. It is said that the charge was not handover to the petitioner on account of the incumbent at Raigarh i.e. the respondent No.7 having not been relieved. It appears that the respondent No.1 was not relieved on account of the recently held Assembly Elections. Now that the election work also passed-over and it has been stated by the petitioner that the respondent No.7 also does not have any interim protection so far as his relieving is concerned. It is only an administrative decision which has to be taken by the authorities concerned particularly the respondents No. 3 & 5.

3. In the given facts, let the respondents No. 3 & 5 take a decision in the case of the petitioner by ensuring that the petitioner since he has assumed his duties at the transferred place be given charge that he is otherwise entitled for.

4. Meanwhile, the authorities would also consider the payment and salary to the petitioner during the intervening period as he had already timely complied with the order of transfer also.

5. Let this exercise be done within 30 days from the date of receipt of certified copy of this order.

6. The Writ Petition accordingly stands disposed off.

Sd/-

(P. Sam Koshy)
JUDGE