

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 1660 of 2019**

K. L. Prasad S/o Shri Rameshwar Prasad, Aged About 58 Years,
S.D.O. Hasdeo Right Bank Canal, Water Management, Sub Division
No.1, Pantora, District- Korba, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Water Resources Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, District- Raipur, Chhattisgarh
2. The Engineer In Chief, Water Resources Department, Raipur, Chhattisgarh
3. The Superintending Engineer, Hasdeo Project Division, Water Resources Department, Rampur, District- Korba, Chhattisgarh
4. Shri Keshav Kumar, Executive Engineer (Rural) O/o Chief Engineer Hasdeo Kachhar, Water Resources Department, Bilaspur, Chhattisgarh

---- Respondents

For petitioner	:	Shri Prafull N. Bharat, Advocate.
For State	:	Shri Sameer Behar, P.L.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

11/03/2019

1. The challenge in the present writ petition is to the order Annexure P-15 dated 27.02.2019 whereby the additional charge which the petitioner was handling i.e. Incharge Executive Engineer of Minimata Bango Dam, Division No.3 Machadoli has been ordered to be handed over to respondent no.4.
2. The substantial ground which the petitioner has raised for challenging the impugned order is that the petitioner while working

as the Sub Divisional Officer of Pantora Division had initiated certain enquiry in respect of certain irregularities committed by two of the sub-engineers posted at Pantora Division.

3. This Court, on perusal of record, finds that the substantive posting of the petitioner in fact was as Assistant Engineer and also the Sub Divisional Officer at Pantora Division of the Water Resources Department and the petitioner continues to remain as an SDO of the said Division. As such, so far as the steps which were initiated by the petitioner in the capacity of SDO at Pantora would not get curtailed in any manner at this juncture.
4. So far as the posting of respondent no.4 at Minimata Bango Dam, Division No.3, Machdoli is concerned, this Court is of the view that since the petitioner himself was holding the said post as an additional incharge, the petitioner did not have an indefeasible right attached to the said post. The respondents now have made an alternative arrangement of filling the post at Minimata Bango Dam by sending respondent no.4 as a full fledged officer, the posting of respondent no.4 as such would not have an adverse bearing to the substantive place of posting of the petitioner.
5. Given the said fact, this Court does not find any strong case made out by the petitioner for interfering with the impugned order dated 27.02.2019 at this juncture. Thus, the writ petition fails and is accordingly dismissed.

Sd/-
(P. Sam Koshy)
JUDGE