

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 2003 of 2019**

Mani Ram Yadav S/o Shri Shivnarayan Yadav Aged About 51 Years
Occupation - Service, Working As Block Education Officer, Bagicha, District
- Jashpur Chhattisgarh., District : Jashpur, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of School Education, Mahanadi Bhawan, New Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. Collector / District Election Officer Jashpur, District - Jashpur Chhattisgarh., District : Jashpur, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. A. N. Pandey, Advocate
For State	:	Mr. Sameer Behar, PL

Hon'ble Shri Justice P. Sam Koshy**Order on Board****19/03/2019**

1. The challenge in the present writ petition is to the order Annexure (P-1) dated 21/02/2019 whereby the petitioner has who is substantively working as a Block Education Officer at Bagicha, Jashpur has been attached to the office of the Nodal Officer cum Chief Executive Officer, Jila Panchayat, Jashpur for the election duties particularly for execution of the (Sweep Scheme).
2. Counsel for the petitioner submits that there is a policy of the State Government banning the complete attachment of an employee/officer from one office to another office and therefore the impugned order is bad.

3. State counsel opposing the petition, however, submits that it is the order passed by the District Education Officer invoking the powers conferred upon District Education Officer under the Representatives of the Peoples Act. Therefore, it does not warrant interference at this juncture.
4. Counsel for the petitioner submits that the order may not be construed permanent arrangement made and after the election duties are over the petitioner may be relieved back to the the post of Block Education Officer, which the petitioner was discharging prior to the issuance of the order dated 21/02/2019.
5. The State counsel at this juncture submits that it is implied and since the duties of the petitioner having been called only on account of election duties. After election work, the petitioner's status would get restored to the position as it stood prior to 21/02/2019.
6. On the said submission by the State counsel, this Court is of the opinion that nothing further remains to be adjudicated upon in the instant case, expecting the respondent Collector to restore the position of the petitioner to the position as it stood prior to 21/02/2019 after the election duties are over pertaining to the forth coming Loksabha Elections. The writ petition accordingly stands disposed off.

Sd/-
(P. Sam Koshy)
Judge