

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 2000 of 2019**

Vijay Kumar Sharma S/o Late Shiv Shankar Sharma Aged About 60
 Years Presently Posted As Superintendent Land Record
 Rajnandgaon District Rajnandgaon Chhattisgarh., District :
 Rajnandgaon, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary Department Of
 Revenue And Disaster Management Mahanadi Bhawan Atalnagar
 Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. Commissioner Land Record Indrawati Bhawan Atalnagar Raipur
 Chhattisgarh., District : Raipur, Chhattisgarh
3. Collector Rajnandgaon District Rajnandgaon Chhattisgarh., District :
 Rajnandgaon, 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 08/03/2019 whereby the petitioner has been relieved from Rajnandgaon to join at Surajpur in compliance of the transfer order dated 31/07/2018.
2. Counsel for the petitioner submits that the original order of transfer dated 31/07/2018 transferring the petitioner from Rajnandgaon to Surajpur. The said order of transfer was subjected to challenge in the writ petition WPS No. 5224/2018 and this Court vide its order dated

14/08/2018 disposed off the petition with direction to the respondents to consider and decide the representation and till the representation was decided the petitioner should not be relieved from Rajnandgaon. Now, the petitioner has been relieved vide impugned order Annexure (P-1) dated 08/03/2019. The contention of the petitioner is that the representation which the petitioner had made after disposal of the writ petition WPS 5224/2018, the same has till date not been decided and therefore till the decision is taken, respondents should not have been relieved the petitioner.

3. Perusal of the records would show that the petitioner in fact had challenged the order of transfer at the first instance, solely on the ground that the petitioner was assigned election duties and since the Assembly Elections were to be held in November, 2018, the petitioner could not had been relieved during election duties. Now that the entire election work so far as the Assembly Elections were concerned, already stood completed in December, 2018, the petitioner thereafter could be relieved. The respondents have now issued the impugned order dated 08/03/2019 which therefore cannot be said to be either bad in law or contrary to the order passed by this Court on 14/08/2018.
4. This Court while entertaining the earlier writ petition, had only taken note of the ground that the petitioner being assigned the election duties. By efflux of time, election duties being over, thereafter the need for deciding the representation of the petitioner was lost its efficacy and since the petitioner was permitted to remain at the same place during election duties for the Assembly Elections, the petitioner could be relieved at any point of time after election duties were over.

5. For the reasons mentioned above, this Court does not find any strong case made out by the petitioner calling for an interference to the impugned order. Thus, the writ petition being devoid of merits deserves to be and is accordingly disposed off.

Sd/-
(P. Sam Koshy)
Judge

Rohit