

HIGH COURT OF CHHATTISGARH, BILASPUR**WRIT PETITION (S) NO.2899 OF 2019**

1. Bhagirathi Banjare S/o Late Shri Yadram Aged About 62 Years Working As Project Administrator, Integrated Tribal Development Project Korba And In Charge Assistant Commissioner, Tribal Development Korba, District Korba Chhattisgarh.

...Petitioner(s)**Versus**

1. State Of Chhattisgarh Through Its Secretary, Aadim Jati Tatha Anusuchit Jati Vikas Vibhag Mantralaya, Mahanadi Bhawan, Atal Nagar, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. Collector District Korba Chhattisgarh.
3. Commissioner Aadim Jati Tatha Anusuchit Jati Vikas Vibhag, Indrawati Bhawan, Atal Nagar, District Raipur Chhattisgarh.
4. Shri N.K.S. Dixit Assistant Commissioner, Tribal Development Mungeli, District Mungeli Chhattisgarh., District : Mungeli, Chhattisgarh

... Respondent(s)

For Petitioner	:	Shri Vinod Deshmukh and Shri Ritesh Giri, Advocates.
For Respondent-State	:	Shri Ishan Verma, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****16.04.2019**

1. Challenge in this petition is the order dated 08.03.2019 (Annexure P/1).
The petitioner is aggrieved by the transfer of the respondent No.4 as Project Administrator of the Integrated Tribal Development Project, Korba.
2. The contention of the petitioner is that he was transferred on the post of the Project Administrator under the Integrated Tribal Development Project, Korba, vide order dated 31.08.2018 and the petitioner took charge of the said post immediately. The petitioner was, in addition, given the charge of Assistant Commissioner, Tribal Development Department, Korba. Further contention of the petitioner is that by posting the respondent No.4 in place of the petitioner and without giving any posting to the petitioner, it would be a case where the petitioner inspite of being senior as compared to the respondent No.4 would be rendered without any charge and assignment.

It is further contended by the petitioner that the impugned order is silent so far as posting of the petitioner is concerned.

3. Given the said facts, let the respondent No.1 take into consideration the representation which the petitioner has already made vide Annexure P/6 dated 04.04.2019 so far as dispute between the petitioner and the respondent No.4 is concerned and till the said representation of the petitioner is decided, there shall be stay of the effect and operation of the impugned order dated 08.03.2019.
4. The respondent No.1 would also take note of the fact that the petitioner is likely to retire in a short span of time i.e. w.e.f. 30.09.2019.
5. The writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge