

HIGH COURT OF CHHATTISGARH AT BILASPURWPS No. 5779 of 2017

Dr. Madan Mohan Joshi S/o Late Dr. G. D. Joshi, Aged About 54 Years,
Working As Assistant Professor, Government Mukutdhar Pandey,
Mahavidyalaya, Katghora, R/o Near State Bank Of India, Ambikapur
Road, Katghora, District Korba, Chhattisgarh.

---Petitioner

Versus

1. State Of Chhattisgarh, Through The Secretary, Department Of Higher Education, Mantralaya, Mahanadi Bhawan, Naya Raipur, P. S. Rakhi, District Raipur, Chhattisgarh.
2. Collector, Korba, District Korba, Chhattisgarh.
3. Director, Directorate Of Higher Education, Raj Kumar College Road, Raipur, Chhattisgarh.
4. Principal, Government Mukutdhar Pandey Mahavidyalaya, Katghora, District Korba, Chhattisgarh.

---Respondents

For petitioner	:	None.
For State	:	Ms. Sunita Jain, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

03/01/2019

1. Yesterday when the matter is called, there was no representation on behalf of the petitioner.
2. Today also when the matter is called, there is no representation on behalf of the petitioner.
3. Perusal of record would show that, the present Writ Petition has been filed challenging the orders dated 14/08/2017 and 29/08/2017 whereby the

petitioner has been transferred from Government Mukutdhar Pandey Mahavidyalaya, Katghora to Government College, Charama, District Kanker.

4. Originally, the order of transfer was challenged in WPS No. 4520/2017 which was disposed off with a direction to decide the representation which the petitioner has made and meanwhile, the petitioner was granted an interim protection.

5. However, before deciding the said representation, the petitioner has been relieved from service vide order dated 29/08/2017.

6. This Court in the present Writ Petition had granted an interim protection on 03/11/2017 by virtue of which the petitioner continues to work at Katghora, District Korba.

7. Given the aforesaid factual matrix of the case and the fact that the petitioner since long is working at Korba, this Court is of the opinion that ends of justice would meet if the Writ Petition is disposed off with a direction that the respondents shall not act upon the impugned order of transfer as well as the order relieving him which are under challenge in the instant Writ Petition.

8. However, the right of the respondents stands reserved if on administrative exigency, the petitioner is required to be transferred, a fresh order can be passed by the competent authority as per the service rules governing the field.

9. With the aforesaid observation, the writ petition stands disposed off.

Sd/-

(P. Sam Koshy)
JUDGE