

HIGH COURT OF CHHATTISGARH, BILASPUR**WRIT PETITION (S) NO.6039 OF 2019**

Shashi Kumar Tirkey S/o Late Kali Tirkey Aged About 43 Years Presently Working As Hostel Superintendent, Govt. Pre Metric Schedule Tribe Boys Hostel, Kunkuri No. 1, Block Kunkuri, District Jashpur Chhattisgarh.

...Petitioner(s)

Versus

1. State of Chhattisgarh Through- The Secretary, Tribal Welfare Department, Mantralaya, Mahanadi Bhawan, Atal Nagar Raipur, District Raipur Chhattisgarh.
2. Collector Jashpur, District Jashpur, Chhattisgarh.
3. Assistant Commissioner Tribal Welfare Department, Jashpur , District Jashpur, Chhattisgarh.
4. Chandan Parik Hostel Superintendant Grade-D, Govt. Pre Metric Boys Hostel, Sarabkombo, Block Bagicha, District Jashpur Chhattisgarh.

... Respondent(s)

For Petitioner	:	Shri C Jayant K Rao, Advocate.
For Respondent-State	:	Shri P. Acharya, Panel Lawyer.

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

16.08.2019

1. The grievance of the petitioner in this petition is the posting of the respondent No.4 at the place where the petitioner was working i.e. at Govt. Pre. Metric Scheduled Tribe Boys Hostel, Kunkuri No.1, Block Kunkuri.
2. Learned counsel for the petitioner submits that the petitioner has been discharging the duties of in-charge Hostel Superintendent at Govt. Pre. Metric Scheduled Tribe Boys Hostel, Kunkuri No.1, Block Kunkuri since 01.06.2009 onwards and now the respondent No.4 is replacing the petitioner, and in the process no order so far as petitioner is concerned has been reflected in the impugned order.
3. Perusal of records would show that the petitioner was discharging the duties of Hostel Superintendent of Govt. Pre. Metric Scheduled Tribe Boys Hostel, Kunkuri No.1 as an in-charge. He was not a substantive post holder. In the order dated 01.06.2009 itself, it was clear that the salary and

other allowances would be released to him from his substantive place of posting. Now the respondents having made an alternative arrangement, the only consequence that takes place is that the petitioner stands posted back to the original place of posting till the fresh order of posting is issued by the respondents in this regard.

4. Reserving the right of the petitioner to approach the authorities for ventilating his grievances, this court does not find any right created in favour of the petitioner so far as challenging the impugned order is concerned. The authorities are expected to ensure that the petitioner is intimated so far as duties that he has to discharge and his place of posting.
5. The writ petition fails and is rejected.

Sd/-

(P. Sam Koshy)
Judge