

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 6630 of 2019

Sunil Tiwari S/o Shri Sudama Tiwari Aged About 42 Years Occupation Secretary, Village Panchayat Budha Bagicha, Janpad Panchayat Rajpur, Police Station Rajpur, District Balrampur, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, General Administrative Department, Mantralaya, Atalnagar, New Raipur, Chhattisgarh
2. The Collector Of Balrampur District Balrampur, Chhattisgarh.
3. The C.E.O. (Rev.) Janpad Panchayat Rajpur, District Balrampur, Chhattisgarh
4. The C.E.O. Zilapanchayat Balrampur District Balrampur, Chhattisgarh
5. Smt. Pushpa Gupta Secretary Village Panchayat Kurdi Khurd, Janpad Panchayat Rajpur, District Balrampur.

---Respondents

For Petitioner	:	Mr. Bhupendra Singh, Advocate
For State	:	Mr. P. Acharya, P.L.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

29/08/2019

1. The Grievance of the petitioner in the present writ petition is to the order (Annexure P-1) dated 12.07.2019 whereby the respondent No. 5 has been transferred from Village Panchayat Kurdi Khurd, Janpad Panchayat Rajpur Distt. Balrampur to Village Panchayat Budha Bagicha, Janpad Panchayat Rajpur Distt. Balrampur at her own request.
2. The facts of the case is that the petitioner who was also working as a Panchayat Secretary at Gramin Janpad Panchayat, Rajpur. Vide order dated 03.07.2019 by an order of the Deputy Director (Panchayat) District Balrampur, Ramanujganj was transferred from Panchayat Jhingo, Janpad Panchayat to Village Panchayat Budha Bagicha under the same Janpad Panchayat.

3. The petitioner immediately had assumed the duty at Budha Bagicha. There is no change of posting of the petitioner from Budha Bagicha. Thereafter, now vide order dated Annexure P-1 dated 12.07.2019, the respondent No. 5 is also sent there as a Panchayat Secretary and the said Respondent No. 5 has been granted the charge but there is no order of posting of the petitioner, respondent No. 5 is permitted to discharge her duty.
4. The petitioner has already made a representation in this regard vide Annexure P-5 collectively to the director as well as to the collector.
5. Given the aforesaid factual matrix of the case, let the respondents No. 2 & 4 take an appropriate decision so far as the case of the petitioner is concerned and try to redress the grievance of the petitioner suitably.
6. Till the decision is taken by the Respondents/Authorities so far as the case of the petitioner is concerned, he shall be presumed to be posted at Budha Bagicha, Janpad Panchayat Rajpur, pursuant to the order Annexure P-2 dated 03.07.2019, provided, the petitioner has assumed his duty by virtue of the said order. Let the decision be taken at the earliest preferably within a period of 30 days.

Sd/-
(P. Sam Koshy)
Judge

Jyotijha