

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS. No. 7120 OF 2019**

Siddharth Shankar Haldar S/o Shri Sanjeev Kumar Haldar Aged About 46 Years Working As Panchayat Secretary Gram Panchayat Ramnagarkala, Janpad Panchayat-Balrampur, Block And Tahsil Balrampur, District Balrampur Ramanujganj Chhattisgarh

---- **Petitioner**

Versus

1. State Of Chhattisgarh Through The Secretary, Panchayat Department, Mantralaya, Mahanandi Bhawan, Atal Nagar, Naya Raipur District Raipur Chhattisgarh
2. Chief Executive Officer Zila Panchayat Balrampur-Ramanujganj, District Balrampur Ramanujganj Chhattisgarh
3. Chief Executive Officer Janpad Panchayat Balrampur, District Balrampur Ramanujganj Chhattisgarh
4. Chief Executive Officer Janpad Panchayat Ramanujganj, District Balrampur Ramanujganj Chhattisgarh

---**Respondent(s)**

For Petitioner	:	Mr. Palash Agarwal, Advocate
For State	:	Ms. Abhyunnati Singh, P.L.

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

06.09.2019

1. The challenge in the present Writ Petition is to the order (Annexure-P/1) dated 22/06/2019 whereby the services of the petitioner has been transferred from Gram Ramnagarkala Janpad Panchayat Balrampur to another Gram Panchyat Vijaynagar Janpad Panchayat Ramchandrapur.
2. The impugned order has been issued by respondent No. 2.
3. The ground of challenge is that, firstly, the respondent No. 2 is not the competent authority to attach the services of the petitioner. Secondly, the order is bad for the reason that as of now there is a total ban on attachment of an employee from one place to another place. Thirdly, the transfer/attachment could have been made only

with the consent obtained from the two Janpad Panchayats, that is the Janpad Panchayat under whom the employee is working and the Janpad Panchayat where the employee is to be posted.

4. Given the aforesaid grounds that the petitioner has, let the petitioner make a detailed representation in this regard supported with all relevant documents to respondent No. 2 who in turn shall consider the grounds/objections that the petitioner has raised with the department and decide the same within a period of 30 days from the date of receipt of the representation.
5. The petitioner shall make representation within a period of 10 days' from the date of receipt of copy of this order.
6. Meanwhile the effect and operation of the impugned order dated 22.06.2019 (Annexure P-1) shall remain stayed and the petitioner would be permitted to continue at Janpad Panchayat, Pithoura.
7. The writ petition stands disposed of.

Sd/-

(P. Sam Koshy)
Judge