

HIGH COURT OF CHHATTISGARH, BILASPUR**WRIT PETITION (S) NO.7008 OF 2019**

1. Parmendra Kumar Kurrey S/o Shri Parmeshwar Prasad Kurrey Aged About 29 Years R/o Village Bitkuli, Bilha, Post Bitkuli, District Bilaspur, Chhattisgarh.

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

1. State of Chhattisgarh Through Secretary, Department of Scheduled Caste and Scheduled Tribe Development, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur, Chhattisgarh.
2. District Collector Bilaspur, District Bilaspur, Chhattisgarh.
3. Assistant Commissioner (Tribal) Bilaspur Division, District Bilaspur, Chhattisgarh.
4. Vikas Kumar Tiwari Hostel Superintendent, Pre-Metric Scheduled Tribe Boys Hostel, Semardarri, Block Marwahi, District Bilaspur, Chhattisgarh.

... Respondent(s)

For Petitioner	:	Shri Sunil Otvani, Advocate.
For Respondent-State	:	Shri P. Acharya, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****04.09.2019**

1. The challenge in the present writ petition is to the order dated 22.08.2019 whereby the respondent No.4 has been transferred from Semardarri, Block Marwahi to Bilha, Bilaspur.
2. The contention of the petitioner is that, it is the petitioner who is substantively holding the post of the Superintendent at Pre Metric Scheduled Caste Boys Hostel, Bilha, Bilaspur, as per the order dated 19.03.2015 and there is no modification/amendment or change to the said posting so far as petitioner is concerned and the petitioner also has been discharging his duties without any sort of complaint or dissatisfaction of the higher authorities in the department. As long as there is no order so far as disturbing the present status of the petitioner, the charge of the said post cannot be taken from the petitioner.
3. The contention of the petitioner seems to be fair and reasonable for the reason that admittedly the petitioner vide order dated 19.03.2015 was

substantively posted as Superintendent at Pre Metric Scheduled Caste Boys Hostel, Bilha and that the impugned order does not reflect the petitioner to have been shifted to another place and as long as there is no order so far as posting of the petitioner to a different place, the petitioner has all the right to remain as Hostel Superintendent at Pre Metric Scheduled Caste Boys Hostel, Bilha.

4. With the aforesaid observations, the writ petition stands disposed of.
5. The parties to the dispute would have liberty to make representation to the authorities concerned for redressal of their grievances, if any.

Sd/-
(P. Sam Koshy)
Judge