

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 7224 of 2019**

Bharvi Mishra S/o Late Ashok Mishra Aged About 54 Years R/o Khadambari Nagar, Tehsil Durg District Durg Chhattisgarh, District : Durg, Chhattisgarh

---- **Petitioner**

Versus

1. State Of Chhattisgarh Through The Secretary, Revenue Department, Mahanandi Bhawan, New Mantralaya, Atal Nagar, Naya Raipur District Raipur Chhattisgarh, District : Raipur, Chhattisgarh
2. Collector Durg District Durg Chhattisgarh, District : Durg, Chhattisgarh
3. S. D. O. (Revenue) Dhamdha, District Durg Chhattisgarh, District : Durg, Chhattisgarh
4. Tribhuvan Singh Verma Patwari, Posted At Patwari Halka No. 53, Khumari, Tehsil Dhamdha District Durg Chhattisgarh, District : Durg, Chhattisgarh

---- **Respondents**

For Petitioner	:	Mr. T.K. Tiwari, Advocate
For State	:	Ms. Abhyunnati Singh, P.L.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

12/09/2019

1. The prayer in the present writ petition is for an appropriate direction to the respondents for ensuring compliance of the order of transfer dated 23.08.2019, whereby the petitioner has been transferred from Patwari Halka No. 12, Danikokdi, Tahsil Dhamdha, District Durg to Patwari Halka No. 53, Kumhari, Tahsil Dhamdha, District Durg.
2. The counsel for the petitioner submits that the petitioner was to replace one Tribhuvan Singh Verma, who was also transferred vide the same impugned order Annexure P/1. However, the said Tribhuvan Singh Verma filed a writ petition before this Court vide WPS No. 6935/2019 and got the writ petition disposed of on 04.09.2019, whereby this Court has granted an interim protection to the said Tribhuvan Singh Verma for a period of 45 days, during

which period the representation of the said Tribhuvan Singh Verma should be decided.

3. The interim relief granted to Tribhuvan Singh Verma was on the claim put forth by him of his being the District President of Chhattisgarh Patwari Sangh for District Durg.
4. At this juncture, Mr. T.K. Tiwari appearing for the present petitioner namely Bharvi Mishra submits that the said Tribhuvan Singh Verma is not in fact the District President of the said Patwari Sangh and in the year 2018, a fresh election were conducted and a fresh body has been appointed and he had obtained the interim order by misleading the Court and suppressing the fact of the subsequent election that was held.
5. Given the aforesaid facts and circumstances of the case, this Court is of the opinion that the matter needs an early consideration by the Collector, Durg- the respondent No.2 to verify as to whether Tribhuvan Singh Verma was the District President of the Chhattisgarh Patwari Sangh on the date when the order of transfer was issued i.e. on 23.08.2019 is concerned. If it has been found that he is not the office bearer or the President of the said Union then appropriate disciplinary action can be taken by the Collector against the said person and at the same time appropriate order should also be passed, so far as the petitioner herein is concerned for compliance of the order dated 23.08.2019 in respect of Tribhuvan Singh Verma whose representation was ordered to be decided also by the Collector.
6. Let both these orders be passed simultaneously for avoiding any further complications.
7. With the aforesaid observations, the present writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge