

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 9794 of 2019

Pratibha Milind W/o Late Prem Lal Milind Aged About 61 Years R/o Plot No. 4, Behind Muslim Sanskritik Bhawan, New Subhash Nagar, Kelabadi, Durg, District Durg, Chhattisgarh. --- **Petitioner**

Versus

1. State of Chhattisgarh through Secretary, Department of Commercial Tax (Registration), Mantralaya, Mahanadi Bhawan, Nava Raipur, Atal Nagar, Raipur, Chhattisgarh.
2. Under Secretary Department of Commercial Tax (Registration), Mantralaya, Mahanadi Bhawan, Nava Raipur, Atal Nagar, Raipur, District : Raipur, Chhattisgarh
3. Inspector General Registration And Superintendent Of Stamp, Gst Bhawan, Second Floor, Capital Complex, North Block Sector 19, Nava Raipur, Atal Nagar, Raipur, District : Raipur, Chhattisgarh
4. District Registrar Registrar Office, Durg, Near Patel Chowk, Ganjpara, Durg, District : Durg, Chhattisgarh --- **Respondents**

For the Petitioner : Mr. Ankit Pandey, Advocate

For the Respondents : Mr. Priyank Rathi, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

26-11-2019

1. The grievance of the petitioner is that pursuant to the transfer made by order dated 14.08.2019 the petitioner has joined the post of Sub-Registrar, Durg, however, the petitioner has not been assigned any work and the salary is also not being paid.
2. Learned counsel for the petitioner refers to Annexure P-3 dated 25.10.2019 and would submit that the salary has not been given for the reasons that already 3 sub-registrars are posted and working at Durg. He further refers to Annexure P-4 and submits that the petitioner though has joined on 14.10.2019 yet the salary

has not been paid till date. Therefore, the respondents may be directed to hand over the charge of work of office of sub-registrar and further to release the salary. Since the petitioner has joined the post at the newly transferred place pursuant to her transfer, she is entitled to get salary from the place of her joining. Therefore, the State may take a decision as early as possible by the next payment of salary due to her in the month of December 2019 and shall also oblige to release the salary.

3. With respect to handing over the charge, it is prerogative of the particular office/department to decide as to what work to be discharged by a particular person who is holding certain post. The High Court in exercise of power under Article 226 of the Constitution cannot give a direction to the respondents to give a particular work to a particular person in respect of administration of the office.
4. With the above direction/observations, this writ petition stands finally disposed of.

**Sd/-
GOUTAM BHADURI
JUDGE**