

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No. 396 of 2021

1. Ashutosh Pandey S/o Late Surendra Pandey, Aged About 32 Years (Assistant Teacher (LB) R/o Village Mohrenga Police Station Bemetara Tahsil And District Bemetara Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Education Department Mantralaya, Mahanadi Bhawan, New Raipur (Chhattisgarh) Pin 492001,
2. The District Education Officer, Bemetara, District Bemetara Chhattisgarh.,
3. Block Education Officer, Bemetara, District Bemetara Chhattisgarh.

---Respondents

For Petitioner	:	Shri Dheerendra Pandey, Advocate.
For State	:	Shri Avinash Singh, P.L.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

09.02.2021.

1. The challenge in the present writ petition is to change of place of posting vide order dated 22.09.2020 on revocation of the order of suspension.
2. The facts of the case is that the petitioner was working on the post of Assistant Teacher (Panchayat) and while working on the said post, the petitioner was placed under suspension vide order dated 06.09.2019. Subsequently, the said order of suspension stood revoked vide order dated 22.09.2020. When the petitioner was placed under suspension, he was working at the Government Primary School Mohrenga Distt. Bemetara and on revocation of

suspension, the petitioner has been ordered to join his duty at Government Primary School Ghatholi Distt. Bemetara. It is this change of place of posting on revocation of suspension which is under challenge in the present writ petition.

3. The issue involved in the present writ petition already stands adjudicated upon by the Division Bench of this Court in the case of **L. P. Saket Vs. Chhattisgarh State Civil Supplies Corporation Limited and Ors.**, passed in WP(S) No. 7269/2017 wherein the Division Bench on a reference made on the said issue vide its judgment dated 15.11.2018 in very categorical term has held that upon revocation of suspension, the petitioner does not have lien to the place of posting but only has a lien to his post to which he was working and the writ petition was accordingly dismissed by the Division Bench. The present writ petition is also squarely covered by the principle of law laid down by the Division Bench in the aforesaid judgment.
4. In view of the same, this Court does not find a strong case made out by the petitioner calling for an interference with the impugned order. However, in the event if the petitioner is not satisfied with the place of posting or have some personal inconvenience, the only option available to the petitioner is to make a suitable representation to the Higher Authorities in the Department requesting for a change of place of posting.

5. Reserving the right of the petitioner for approaching the authorities on the Administrative side and making a suitable representation to the authorities concerned, the writ petition at this juncture stands rejected.

Sd/-sssss

(P. Sam Koshy)
Judge

Jyotijha