

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 142 of 2021**

1. Duryodhan Ram Yadav S/o Shri Sudro Ram Aged About 49 Years
Occupation- Service, Posted As Secretary Of Gram Panchayat Matasi,
Janpad Panchayat Kunkuri, Civil And Revenue Distt.- Jashpur,
Chhattisgarh **---- Petitioner**

Versus

1. State Of Chhattisgarh Through The Secretary Panchayat And Rural
Development, Department Mantralaya Mahanadi Bhawan, Capital
Complex New Raipur, Distt.- Raipur, Chhattisgarh
2. Chief Executive Officer District Panchayat Jashpur, Distt.- Jashpur,
Chhattisgarh
3. Deputy Director Panchayat Jashpur, Distt.- Jashpur, Chhattisgarh
4. Chief Executive Officer Janpad Panchayat Kunkuri, Distt. Jashpur,
Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Sunil Sahu, Advocate
For State	:	Mr. Vikash Shrivastava, P.L.
For Intervener	:	Mr. Govind Dewangan, Advocate.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****12.01.2021**

1. The impugned order under challenge in the present writ petition is to the order dated 30.12.2020 whereby the petitioner has been transferred from Gram Panchayat Matasi to Gram Panchayat Bodokachhar, District Jashpur.
2. According to the petitioner, he has been transferred at the present place of posting recently vide order dated 03.09.2020 in less than three

months time and he has been now subjected to another transfer. He further submits that the order is issued with malafide for the reason that the same has been issued on the complaint lodged by the Sarpanch of village i.e the Gram Panchayat Matasi against whom the petitioner had lodged a complaint before the Higher Authorities in respect of illegal withdrawal of the amount in connivance with the Secretary of the Gram panchayat.

- 3.** The Sarpanch of the Gram Panchayat has also moved an application for intervenor in the present writ petition and has objected to the present writ petition and has submitted that the Sarpanch also in the past had made a lot of complaints against the petitioner and the irregularities committed by the petitioner on the basis of which the authorities conducted preliminary investigation and found them to be correct which has led to the issuance of the order of transfer.
- 4.** Given the aforesaid facts and circumstances of the case, where the impugned order seems to have been issued alleging complaints against the petitioner, in-turn the petitioner also seems to have alleged serious allegations against the Sarpanch of Gram Panchayat Matasi, this Court is of the opinion that the writ petition at this juncture can be disposed of directing the respondents No. 2 & 3 to look into the grievance of the petitioner as also the Sarpanch of the Gram Panchayat Matasi and if required, the respondents No. 2 & 3 shall also conduct a fair enquiry in respect of the allegation levelled against the petitioner and the Secretary as also against the Sarpanch of the Gram

Panchayat Matasi and appropriate remedial measures and also appropriate disciplinary proceedings if required be initiated.

5. Meanwhile, purely as an interim measure considering the fact that the petitioner has joined at Gram Panchayat Matasi recently, let status quo as it exists today be maintained so far as the transfer of the petitioner is concerned till the Resp. 2&3 take a decision. The respondents No. 2 & 3 are expected to take a decision at the earliest preferably within a period of 60 days from the date of receipt of copy of this order.

6. The writ petition accordingly stands disposed of.

**Sd/-
P. Sam Koshy
Judge**