

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 3422 of 2020**

Manaram Kaiwarth S/o Late Shri Phabbu Ram Kaiwarth Aged About 48 Years Working As Secretary, Pakariya (Jhulan), Gram Panchayat, Akaltara, R/o Gram Banahil, Post Pakariya Jhulan, District Janjgir Champa Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Its Secretary, Department Of Panchayat And Rural Development , Mantralaya Mahanadi Bhawan, Atal Nagar, Raipur Chhattisgarh
2. The Commissioner Bilaspur Division, Bilaspur Chhattisgarh
3. The Chief Executive Officer Janpad Panchayat Akaltara, Janjgir Champa Chhattisgarh
4. Smt. Meena Sahu Secretary, Gram Panchayat Rogda, Janpad Panchayat Akaltara , District Janjgir Champa Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Shivang Dubey, Advocate
For State	:	Ms. Akansha Jain, Dy. GA
For Res.No.3	:	Mr. N. K. Chhatterjee, Advocate

Hon'ble Shri Justice P. Sam Koshy**Order on Board****04/03/2021**

1. The challenge in the present writ petition is to the impugned order Annexure P-1 an order passed by CEO, Janpad Panchayat, Akaltara whereby one Smt. Meena Sahu has been ordered to be posted as Panchayat Secretary at the Gram Panchayat, Pakariya(Jhulan) under Gram Panchayat, Akaltara. The only grievance of the petitioner is that since respondent no.4 has been sent in place of the petitioner and there is no reflection of the petitioner being sent elsewhere, a stage of confusion

has arisen as there is only one sanctioned post and against which there are two persons as of now and the petitioner has been ordered to hand over the charge to respondent no.4.

2. Counsel for the State appearing for respondent no. 1 & 2 submits that it is a case where the order seems to have been passed by the CEO, Janpad Panchayat, Akaltara, it would be the concerned Officer who would be responsible in ensuring that the petitioner also is accommodated either at the said place or at a different place considering the administrative exigency that prevails.
3. Learned State counsel submits that writ petition itself can be disposed of directing the respondent no.3 to ensure that appropriate steps should be taken ensuring appropriate posting to the petitioner is given. Respondent State is further directed to also instruct the Concerned CEO of the Jila Panchayat District Janjgir Champa to resolve the grievances of the petitioner and respondent no.4 which has arisen pursuant to the impugned order of transfer dated 30.07.2020.
4. It is made clear that till respondent no.3 so also CEO, Jila Panchayat District Janjgir Champa takes an appropriate decision so far as grievance of the petitioner is concerned, the interim order granted by this Court on 26.08.2020 shall remain in force.
5. With the aforesaid observations, the present writ petition stands allowed and disposed of.

Sd/-
(P. Sam Koshy)
Judge

Rohit