

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 4167 of 2021**

Sunil Tiwari S/o Shri L. N. Tiwari, Aged About 56 Years, Currently
Posted As Joint Registrar, Bilaspur Division, Department Of
Cooperative, Bilaspur, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of
Cooperative, Mahanadi Bhavan, Nava Raipur, Atal Nagar, Raipur,
Chhattisgarh
2. Chhattisgarh State Cooperative Tribunal, Through Its Chairman,
Bilaspur, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Abhyuday Singh, Advocate
For State	:	Mr. Ishan Verma, P.L.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****11.08.2021**

1. Aggrieved by the order dated 02.08.2021 the present writ petition has
been filed. Vide the impugned order the services of petitioner have
been transferred and placed on deputation under the Chhattisgarh
State Cooperative Tribunal, Bilaspur.
2. The petitioner is presently working as a Joint Registrar and posted at
Bilaspur. The petitioner seems to have been aggrieved of his being
sent on deputation.
3. The ground of challenge is that before placing the services of
petitioner on deputation no consent was obtained from petitioner

which is otherwise required under the service law.

4. On a query being put to the counsel for petitioner as to what prejudice is going to be caused to petitioner, he submits that the only challenge is to the aspect of not obtaining consent before placing the services of petitioner on deputation and not any other ground.
5. Given the said facts, the writ petition, at this juncture, stands disposed of directing the petitioner to approach the respondent no.1 by way of a representation against the order of transfer dated 02.08.2021 to the extent of not obtaining consent before his services were placed on deputation. The respondent no.1 in turn shall duly consider & decide the representation at the earliest, preferably within a period of 30 days from the date of receipt of the representation which the petitioner should make within a period of 7 days from today.
6. Meanwhile, purely as an interim measure, the respondents are directed not to initiate any coercive step against the petitioner for compliance of the impugned order so far as the petitioner is concerned. At the same time, the respondent authorities would also be at liberty, if they find it fit and proper, to modify the order by posting the petitioner elsewhere.
7. With the aforesaid observations, the writ petition stands disposed of.

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