

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 3601 of 2017**

Manish Singh Parihar S/o Shri R.S.Parihar, Aged About 34 Years R/o Anand Apartment Vikas Nagar, 27 Kholi, Flat No.303, Bilaspur, District Bilaspur (C.G.)

---- Petitioner

Versus

1. State of Chhattisgarh Through The Principal Secretary Department of Law and Legislative Affairs Mantralaya, Mahanadi Bhawan, Naya Raipur (C.G.)
2. Additional Secretary, Department of Law and Legislative Affairs Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur (C.G.)
3. The Advocate General, Office of Advocate General, High Court Campus at Boadri Bilaspur, District Bilaspur (C.G.)

---- Respondents

(Cause-title taken from Case Information System)

For Petitioner	:	Mr. Pawan Kesharwani, Advocate.
For Respondents No. 1&2	:	Mr. Malay Shrivastava, Advocate.
For Respondent No. 3	:	Mr. Ishan Verma, Panel Lawyer.

Hon'ble Shri Arup Kumar Goswami, Chief Justice**Order on Board****17.12.2021**

Heard Mr. Pawan Kesharwani, learned counsel for the petitioner. Also heard Mr. Malay Shrivastava, learned counsel appearing for respondents No. 1 and 2 and Mr. Ishan Verma, learned Panel Lawyer appearing for respondent No. 3.

2. This writ petition is filed challenging an order of transfer dated 31.03.2017. The foundation of the challenge to the aforesaid order is that in a writ application filed by the petitioner, being Writ Petition (S) No. 6411 of 2016,

by an order dated 01.03.2017 the petitioner was allowed to participate in the LLB (Part III) examination with a condition that under no circumstances, the petitioner's undertaking the said course should affect the discharge of his official duties in the office of the Advocate General, by setting aside the order of rejection of permission dated 12.09.2016.

3. After passing of the said order by this Court, though permission was granted to the petitioner, the order of transfer dated 31.03.2017 was issued so as to disable the petitioner from appearing in the examination.

4. More than 4 years have gone by and it is submitted by Mr. Kesharwani that the petitioner had obtained LLB degree in the meantime and that the petitioner is continuing to discharge his duties in the same post from which he was sought to be transferred on the strength of the interim order passed by this Court.

5. On due consideration, the order of transfer dated 31.03.2017 is set aside. Respondents are, however, at liberty to pass such orders, as may be considered appropriate, in the interest of public service and administrative exigency.

6. The writ petition stands disposed of in terms of the above directions and observations.

Sd/-
(Arup Kumar Goswami)
Chief Justice