

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 4611 of 2021

Lal Sai Bhagat, S/o Lt. Shri Nadhiya Ram, Aged About 57 Years Internal Audit And Taxation Officer, Janpad Panchayat Balrampur, District - Balrampur - Ramanujganj Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh, Through The Secretary, Ministry Of Panchayat And Rural Development Department Government Of Chhattisgarh, Mahanadi Mantralaya, Naya Raipur, Atal Nagar. Post Office And Police Station Naya Raipur, Atal Nagar, District Raipur Chhattisgarh
2. Chief Executive Officer, Zila Panchayat Balrampur - Ramanujganj, District - Balrampur - Ramanujganj Chhattisgarh
3. Lawang Sai Bhagat, Assistant Internal Audit And Taxation Officer, Anspur Janpad Panchayat Kusmi, District Balrampur - Ramanujganj Chhattisgarh

---- Respondents

For Petitioner	:	Mr. R. K. Jha, Advocate.
For State	:	Mr. Suyash Dhar, PL

Hon'ble Shri Justice P. Sam Koshy
Order on Board

02/09/2021

1. The grievance of the petitioner is the impugned dated 01.07.2021 whereby the respondent no.3 has been given the charge of the Assistant Accounts Officer for the Janpad Panchayat, Balrampur.
2. Contention of the petitioner is that he is an Internal Audit and Taxation Officer for the Balrampur. He is senior to the respondent no.3 and now by virtue of the impugned order the petitioner would be made to work under h is junior i.e. respondent no.3.

3. Given the limited relief that petitioner has the entire dispute can be resolved subject to the petitioner making a representation to the respondent no.2 who shall on due verification of the seniority aspect and also the competency aspect shall take appropriate decision the grievance of the petitioner in accordance with law and also in accordance with circulars of the State Government where it has been repeatedly held that the charge of a particular post should always be handed over the senior most person available at the place of posting.
4. Let appropriate decision be taken by the respondent no.2 upon the petitioner making the representation within a period of 10 days time. The representation is made within 10 days time, the same should be decided by respondent no.2 within a further outer limit of 45 days from the date of receipt of copy of the representation.
5. Purely as an interim measure, till the representation of the petitioner is decided, let status quo as it exists today be maintained.
6. With the aforesaid observations, the present writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge

Rohit