

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 5141 of 2021**

Tula Painkra Wd/o Late Surendra Painkra, Aged About 50 Years, R/o House No. 91, Gaotiyapara, Bamlaya, Tahsil Sitapur, District - Surguja (C.G.)

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Panchayat And Social Welfare Department, Mahanadi Bhawan, Mantralaya, Capital Complex, New Raipur, District - Raipur (C.G.)
2. Deputy Director, Zila Panchayat, Ambikapur, District - Surguja (C.G.)
3. Janpad Panchayat, Sitapur, Surguja Through Chief Executive Officer, Janpad Panchayat, Sitapur, District - Surguja (C.G.)
4. Chief Executive Officer, Janpad Panchayat, Ambikapur, District - Surguja (C.G.)
5. Basant Das, Secretary, Gram Panchayat Khadadorna, Janpad Panchayat, Sitapur, Tahsil Sitapur, District - Surguja (C.G.)

---- Respondents

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

Hon'ble Shri Justice P. Sam Koshy**Order On Board****23.09.2021**

1. Counsel for the petitioner submits that on a stigmatic order the petitioner has been attached from Gram Panchayat, Sontarai to Janpad Panchayat Sitapur. Counsel for the petitioner submits that while attaching the services from Sontarai to Sitapur, Respondent no.4 has stated that on account of the petitioner not showing any interest in discharging her duties the cause for attachment has arisen whereas there has been no

notice or letter of displeasure by the respondent no.4 or any authorities under whom the petitioner has been discharging her duties issued till date. Thus, the action is per se bad in law. Counsel for the petitioner further submits that if at all if there was non-performance by the petitioner, the authorities ought to have initiated appropriate action against her in accordance with the rules governing the field and for which the petitioner is ready to face.

2. Given the said submission by the counsel for petitioner, the present writ petition at this juncture stands disposed of with a direction to the respondent no.4 to take necessary steps in respect of any alleged non-performance on the part of the petitioner in accordance with law and in case those allegations or the charges which have been levelled against the petitioner stand proved, then the respondent no.4 would be free to take appropriate decision.
3. Meanwhile, let status quo as it exists today be maintained so far as the posting of petitioner is concerned.
4. The writ petition accordingly stands disposed of.

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