

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 5364 of 2021**

Gajadhar Paikra S/o Mansingh Paikara, Aged About 43 Years, R/o Manjhapara, Ward No. 7, Lata, District Bilaspur, Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Department Of Revenue, Mahanadi Bhavan, Mantralaya Atal Nagar, Raipur, District Raipur, Chhattisgarh.
2. Collector, Mungeli District Mungeli, Chhattisgarh.
3. Sub Divisional Magistrate Lormi District Mungeli, Chhattisgarh.
4. Santosh Raj Patwari, P. C. No. 24, Lormi, Tahsil Lormi, District Mungeli, Chhattisgarh.

---- Respondents

For Petitioner	:	Mr. Amit Kumar, Advocate
For State	:	Mr. Ishan Verma, P.L.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****04.10.2021**

1. Aggrieved by the inaction on the part of the respondents in not relieving/giving joining the petitioner in spite of petitioner being transferred vide order dated 26.07.2021, the present writ petition has been filed.
2. The petitioner is presently posted as Patwari at P.C. No.18, Lormi, district Mungeli. Vide order dated 26.07.2021 the petitioner has been transferred from P.C. No.18 to P.C. No.24, Lormi, District Mungeli. Though more than two months have passed, till date the petitioner has not been relieved which has led to the filing of present writ

petition.

3. The counsel for petitioner submits that as per instructions received, the said order dated 26.07.2021 till date has not been modified, cancelled or amended in any manner so far as petitioner is concerned or at least the petitioner has not been intimated in this regard, if any such order has been passed. According to petitioner, the present writ petition can be disposed of in the light of decision rendered by this High Court in case of Manisha Agrawal Vs. State of Chhattisgarh & Others, 2015 (4) CGLJ 182.
4. Given the facts, reiterating the legal position as has been laid down in case of Manisha Agrawal (Supra) which till date holds good, indisputably there is an order transferring the petitioner from P.C. No.18 to P.C. No.24, Lormi, District Mungeli. The said order, if the contentions of the petitioner is to be believed, till date has not been modified, amended or cancelled. Under the circumstances, the order passed by the respondents on the administrative side taking into consideration administrative exigency is required to be followed or complied with in its letter and spirit.
5. Given the said facts, the writ petition at this juncture stands disposed of directing the respondent authorities under whom the petitioner is working to ensure that appropriate steps are taken at the earliest for compliance of the order of transfer in its letter and spirit so far as petitioner is concerned. Let appropriate decision on the administrative side be taken at the earliest preferably within a period of 45 days from the date of receipt of copy of this order.

Sd/-
(P. Sam Koshy)
Judge