

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 5453 of 2021

Smt. Jacinta Toppo W/o Norbet Lakra Aged About 63 Years R/o Naya Patrapara, Ward No.8, Santosh Nagar, Dharamjaigarh, Tahsil-Dharamjaigarh, District-Raigarh, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Women And Child Development Department, Mantralaya, Atal Nagar, Nawa Raipur, Chhattisgarh
2. The Director Directorate Of Women And Child Development, Atal Nagar, Nawa Raipur, District- Raipur, Chhattisgarh
3. The Collector District- Raigarh, Chhattisgarh
4. The District Programme Officer Women And Child Development Department, Raigarh, District- Raigarh, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Harish Khuntiya, Advocate.
For State	:	Mr. Jitendra Pali, Dy. AG

Hon'ble Shri Justice P. Sam Koshy

Order on Board

06/10/2021

1. The grievance of the petitioner seems to be the action on the part of the respondents in not releasing the salary of the petitioner for the period November, 2019 to January, 2021.
2. The whole dispute seems to have arisen on account of the order of transfer dated 08.11.2019 whereby the petitioner was transferred from Lailunga district Raigarh to Mainpat, District Surguja. The petitioner had preferred the writ petition i.e. WPS 9352/2019 and Co-ordinate Bench of this court had disposed of the writ petition on 18.11.2019 permitting the petitioner to make a representation for ventilating his grievance before the higher authorities and it was further ordered as an interim measure if the

order of transfer has not been given effect to till date, the same be stayed till the representation is decided.

3. Contention of the petitioner is that by virtue of the interim protection granted by this Court, the petitioner was permitted to resume his duties at Lailunga itself and she continued to discharge her duties till her retirement in January, 2021. However for the intervening period, the petitioner has been deprived of her salary.
4. Given the said submissions by the counsel for the petitioner, the writ petition at this juncture stands disposed of directing the respondent no.2 to 4 to take appropriate decision on the claim of the petitioner for salary during the period November, 2019 to January, 2021. While taking a decision the respondents shall verify the aspect as to whether by virtue of the said order granted by the High Court the petitioner was permitted to resume her duties at Lailunga. Whether the petitioner in fact had discharged her duties at Lailunga during the intervening period, appropriate steps be taken if the petitioner is found eligible for the salary forthwith.
5. Let appropriate decision be taken in this regard within an outer limit of 90 days from the date of receipt of copy of this order.
6. The writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

Rohit