

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 5456 of 2020**

Bhaskar Prasad Tiwari S/o Braj Kishor Tiwari Aged About 58 Years
Presently Posted Assistant Grade II, In Office Of Deputy Director
Agriculture, Baikunthpur, District- Korea, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through- The Secretary, Agricultural Department
Mantralaya, Mahanadi Bhavan, Atal Nagar New Raipur, District Raipur,
Chhattisgarh
2. The Director Agriculture, Agriculture Development Bhawan, Naya Raipur,
Chhattisgarh
3. Deputy Director Agriculture Korea, District Korea, Chhattisgarh

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For Petitioner	:	Mr. Hemant Kesharwani, Advocate
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For State	:	Mr. V. R. Tiwari, Addl. AG
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Hon'ble Shri Justice P. Sam Koshy**Order on Board****22/01/2021**

1. The grievance of the petitioner in the present writ petition is in respect of the non releasing of the salary for the period between July, 2019 to February, 2020.
2. According to the petitioner the dispute arose on account of an order of transfer that was issued by the respondents. The said order of transfer was subjected to challenge before the High Court in WPS 5710/2019 and this Court disposed of the writ petition on 05.08.2019. While disposing of the writ petition there was an interim protection so far as posting given to the petitioner is concerned. Counsel for the petitioner submits that all along this

period the petitioner has been working with the respondents uninterruptedly and without any unauthorized absence. Even in between there were two orders of transfer issued but the petitioner was never relieved and because of the non relieving of the petitioner, he continued to discharge his duties regularly yet respondents have not paid salary for the period between, July, 2019 to February, 2020.

3. Given the limited dispute that petitioner has the writ petition at this juncture stands disposed of directing the respondent no.3 in ensuring that case of the petitioner is immediately scrutinized so far as non releasing of the salary for the period between July, 2019 to February, 2020 is concerned and an appropriate decision be taken at the earliest preferably within a period of 60 days. In case if the petitioner is found to have discharged his duties during the said period the petitioner should also be released his salary within the said stipulated period.
4. With the aforesaid observations, the writ petition stands allowed and disposed of.

Sd/-
(P. Sam Koshy)
Judge

Rohit