



HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 381 of 2023

- Eshai Ram Dhruw S/o Late Shri Manrakhan Lal Dhruw Aged About 52 Years Panchayat Secretary Village Panchayat Ranipartewa, Janpad Panchayat - Chhura, Block - Chhura, District - Gariyaband, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Panchayat And Rural Development Department, Mahanadi Bhawan, Atal Nagar Nawa Raipur, District : Raipur (CG)
2. The Collector District - Gariyaband, Chhattisgarh.
3. The Chief Executive Officer, Zila Panchayat Gariyaband District Gariyaband (CG).
4. The Chief Executive Officer, Janpad Panchayat Chhura, District Gariyaband C(G)

---- Respondents

17/01/2023	Mr. J.N. Nande, Advocate for the petitioner. Mr. Shubham Verma, Panel Lawyer for respondents No.1 & 2. Heard. Issue notice to respondents. Learned State Counsel accepts notice on behalf of respondent No.1 & 2, hence process fee is not required to be issued to these respondents. He prays for and is granted three weeks time to file reply. On petitioner's depositing process fee, issue notice to respondents No.3 & 4 as per rules, making it returnable in three weeks. Also heard on I.A. No.1, which is an application for grant of interim relief. Learned counsel for petitioner would submit that petitioner joined at Gram Panchayat Ranipartewa on	



25.3.2022 and within seven months from the date of his joining, he was attached in the office of Janpad Panchayat Chhura. As per direction of the State Government dated 4.6.2001, any employee/officer are not to be attached in any other place and if any such attachment order is passed, the same is liable to be cancelled forthwith. Further, mention of pendency of departmental enquiry against petitioner in impugned order, is also wrong. After issuance of impugned order, petitioner immediately submitted representation pleading specifically that as on date no departmental enquiry is pending against him. Hence, in light of direction of State Government dated 4.6.2001 and the fact that no departmental enquiry is pending against petitioner, the impugned order be stayed.

Considering submissions of learned counsel for petitioner as also documents placed on record, purely as an interim measure, it is directed that effect and operation of impugned order shall remain stayed until further orders.

List the matter after three weeks.

Certified copy as per rules.

Sd/-
(Parth Prateem Sahu)
Judge