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SINGLE BENCH

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IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION NO. 3093 / 2006

PETITIONER

K.L. Gandarv

S/o Late Toranlal Gandarv

Aged about 49 years

R/o- Civil Line, Khairagarh,

Tehsil- Khairagarh, Dist- Rajnandgoan (C.G)

P.R. No. 3149/06
Presented by G.R. Sahu/wrt
dated 28/6/06

Versus

RESPONDENTS

1. State of Chhattisgarh
Through the Secretary,
Public Works Department,
D.K.S. Bhawan, Raipur (C.G)

2. Chief Engineer
PWD, Department
D.K.S. Bhawan, Raipur (C.G)

3. Executive Engineer
PWD (B&R) Khairagarh Division,
Khairagarh (C.G)

4. G.R.Sahu
Working as Grade-III
PWD (B&R) Khairagarh Division,
Khairagarh (C.G)

RECEIVED-COPY
CLERK to A.C. BILASPUR
28/6/06



WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF A SUITABLE WRIT ORDER OF DIRECTION TO DO JUSTICE IN THE MATTER.

मामला क्रमांक W.P. 3093/ सन् 2006

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आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	<p>30-6-2006</p> <p>Mr. H.S. Ahluwalia, counsel for the petitioner.</p> <p>Mr. Satish Gupta, Deputy Govt. Advocate for the State/respondents No.1 to 3.</p> <p>Heard.</p> <p>By this writ petition under Article 226/227 of the Constitution of India, the petitioner has questioned the order dated 27-5-2006 passed by the Executive Engineer, PWD Division, Khairagarh, whereby the petitioner has been posted as Stock Clerk & Legal Matters from the post of Ankekshak Bhawan, Work charge of Legal Matters, Form-51.</p> <p>The case of the petitioner is that he is working as Assistant Grade-III, in PWD, Division: Khairagarh since 1-1-1981 and the impugned order dated 27-5-2006 (Annexure P-1) has been passed by respondent No.3 for change of seat amongst the employees of PWD, Khairagarh, which is manifestly arbitrary, unconstitutional and without approval of the higher authorities. The petitioner joined the post of Auditor on 23-9-2003 and the petitioner has not completed three years tenure on the same post. Vide order dated 12-6-2006 (Annexure P-2), respondent No.3 made correction to his earlier order dated 27-5-2006 in respect of allotment of nature of work to the petitioner and respondent No.4. The petitioner submitted a representation on 15-6-2006 (Annexure P-3) regarding the discriminatory attitude of the respondents towards the petitioner in comparison to other employees.</p> <p>Learned counsel for the petitioner submits that the petitioner may be allowed to make a fresh representation to respondent No.3 raising all his grievances, and in turn, respondent No.3 be directed to decide the same, to which learned counsel appearing for the State/respondents No.1 to 3 has no objection.</p>	

मामला क्रमांक W.P. 3093/ सन् 2006

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आदेश पत्रक (पूर्वानुबद्ध)

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Soma	<p>Having heard learned counsel for the parties and having regard to the facts and circumstances of the case, the prayer made by learned counsel for the petitioner is just, fair and reasonable. Therefore, the petitioner is allowed to make a representation to respondent No.3 within 10 days from today, in turn, respondent No.3 shall decide the representation within a period of 30 days from the date of its receipt, in accordance with law, after considering the points raised by the petitioner.</p> <p>With the direction aforesaid, the petition stands disposed of.</p> <p>In view of this order, M.(W)P.No.2366/2006 and I.A.No.6201/2006 also stand disposed of.</p> <p>Parties are entitled for certified copy of this order.</p>	<p>Sd/- L.C.Bhadoo Judge</p>

3.11.06