

IN THE HON'BLE HIGH COURT OF CHHATTISGARH AT BILASPUR**WRIT PETITION (S) NO. 5609 / 2012****IN THE MATTER OF ARTICLE 226 OF
THE CONSTITUTION OF INDIA ;****AND BETWEEN :****PETITIONER**Hema Banjare, daughter of Shri Atmaram
Banjare, aged about 25 years, presently
posted as Supervisor, Akeekrit Baal
Vikas Pariyojna, Sukma, District Sukma,
Chhattisgarh**VERSUS****RESPONDENTS**

1. State of Chhattisgarh, through the
Secretary, Department of Women and
Child Development, Mantralaya, Naya
Raipur, Thana Mandir Hasod, Post
Office Mantralaya, District Raipur,
Chhattisgarh
2. Collector Sukma, Collectorate Office,
Sukma, District Sukma, Chhattisgarh
3. District Women and Child Development
Officer, Sukma, District Sukma,
Chhattisgarh
4. Project Officer, Akeekrit Baal Vikas
Pariyojna, Sukma, District Sukma,
Chhattisgarh

**WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA
FOR ISSUANCE OF APPROPRIATE WRIT IN THE NATURE OF MANDAMUS
AND FOR ISSUANCE OF OTHER SUITABLE WRITS, DIRECTION OR
DIRECTIONS, ORDER OR ORDERS**

(1) PARTICULARS OF THE PETITIONER

As shown in the cause title

(2) PARTICULARS OF THE RESPONDENTS

As shown in the cause title.

**(3) PARTICULARS OF THE ORDERS AGAINST WHICH THE PETITION
IS MADE**

The petitioner by way of the instant petition is not challenging any
particular order issued by the respondent authorities but have sought

Amrito Das
Amrito Das, Advocate



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HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(S) No. 5609 of 2012

PETITIONER

Hema Banjare.

Versus

RESPONDENTS

State of Chhattisgarh and others.

Shri Amrito Das, counsel for the petitioner.

Shri Satish Gupta, Govt. Advocate for the State.

SINGLE BENCH : HON'BLE SHRI PRASHANT KUMAR MISHRA, J.

ORAL ORDER

(27/12/2012)

Learned Petitioner seeks a direction to the respondents to execute the transfer order dated 30/11/2011 whereby she has been transferred from Sukma to Bilaigarh.

(2) Learned counsel for the petitioner would submit that the order dated 30/11/2011 is still in force as it has neither been withdrawn nor modified, however, the said order has not been executed and the petitioner has not been relieved for submitting joining at the transferred place of posting. He would submit that petitioner's representation for relieving her to join at the transferred place of posting has not been decided. He would further submit that the respondents-authorities are deliberately delaying the process of relieving the petitioner and she apprehends that someone else may be posted at the place where the petitioner has been transferred.

(3) The Supreme Court, in **Sreedam Chandra Ghosh Vs. State of Assam & Others** reported in (1996) 10 SCC 567 has held that a direction for enforcement of executive orders may be issued by the Court.

(4) Accordingly, the respondent No. 3 is directed to ensure that the petitioner joins the place of posting at Bilaigarh, as directed by the order dated 30/11/2011 (Annexure P/1) forthwith, within a period of two weeks from the date of receipt of copy of this order.

(5) In view of the above, the petition is allowed to the above extent. No order as to costs.

Certified copy today.

Sd//-

Prashant Kumar Mishra
Judge

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