

(5) 100 1

IN THE HON'BLE HIGH COURT OF CHHATTISGARH AT
BILASPUR (C.G.)

Writ Petition (S) No. 2558 of 2013

Single Bench

PETITIONER

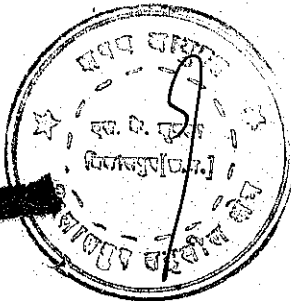
: Santuram Kushwaha, aged about 40 years, son of Devnathram Kushwaha, working as Panchayat Secretary, Gram Panchayat Premnagar, resident of Wadrafnagar, Police Station Basantpur, Revenue District-Balrampur-Ramanujganj, Civil District-Surguja (C.G.)

WP(S) 2558/13
R No.
Presented by Shri. P.N. Prasad
Dated. 24/8/13

VERSUS

RESPONDENTS

- :1. State of Chhattisgarh
Through the Secretary,
Panchayat Department,
Mantralaya New Raipur, Police
Station-Rakhi, District-Raipur
(C.G.)
2. The Collector, Balrampur, Police
Station & District-Balrampur
(C.G.)
3. Zila Panchayat Ambikapur,
through the Chief Executive
Officer, Police Station-
Ambikapur, Civil & Revenue
District-Surguja (C.G.)
4. The Chief Executive Officer,
Janpad Panchayat Wadrafnagar,
Police Station-Basantpur,
Revenue District-Balrampur-
Ramanujganj, Civil District-
Surguja (C.G.)
5. Nurulhaque Ansari, Panchayat
Secretary, Gram Panchayat
Gondla, Janpad Panchayat
Wadrafnagar, Police Station-
Basantpur, Revenue District-
Balrampur-Ramanujganj, Civil
District-Surguja (C.G.)



(Signature)

6

2

WRIT PETITION UNDER ARTICLE 226 OF THE
CONSTITUTION OF INDIA

मामला क्रमांक W.P.(C) 2558/2013 सन् 20

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	<p>30.9.2013:-</p> <p>Shri D.N. Prajapati, counsel for the petitioner.</p> <p>Shri Yashwant Singh Thakur, Deputy Advocate General for the State, on advance copy.</p> <p>Heard.</p> <p>Learned Deputy Advocate General, on instructions from the authority who has passed the impugned order (Annexure-P/1), would submit that even under the amended Rule 27 of CG Panchayat Employees (Recruitment and Conditions of Service) Rules, 1999, the CEO of Janpad Panchayat does not have jurisdiction to transfer a Panchayat Secretary from one Gram Panchayat to another. He prays for liberty to pass fresh order in accordance with law.</p> <p>In view of the above, it is directed that the impugned order (Annexure-P/1) shall not be acted upon by the respondents. However, the respondents would be at liberty to pass fresh order of transfer of the petitioner, depending upon the administrative exigency, in accordance with law.</p> <p>The writ petition is accordingly disposed of.</p>	
Barve		<p>Sd/- Prashant Kumar Mishra Judge</p>