

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 5970 of 2014**

Rameshwar Prasad Lahre Son of Hira Ram Lahre, aged about 42 years working as Block Resource Co-Ordinator, Pandariya, Block Pandariya, District Kabirdham, Chhattisgarh

---- **Petitioner**

Versus

1. State of Chhattisgarh, through Secretary, Panchayat and Social Welfare Department, Mahanadi Bhawan, Police Station Rakhi, Tahsil Aarang, Naya Raipur, Chhattisgarh
2. Director, State Literacy Mission Rajeev Gandhi Shiksha Mission, Raipur, District Raipur, Chhattisgarh
3. Collector Cum District Mission Director, Rajeev Gandhi Shiksha Mission, Kabirdham, District Kabirdham, Chhattisgarh

---- **Respondents**

And**WPS No. 5971 of 2014**

Vinod Shrivastava, son of T.L.Verma, aged about 44 years, working as Block Resource Coordinator, Sahaspur Lohara, Block Sahaspur Lohara, District Kabirdham, Chhattisgarh

---- **Petitioner**

Versus

1. State of Chhattisgarh, through Secretary, Panchayat and Social Welfare Department, Mahanadi Bhawan, Police Station Rakhi, Tahsil Aarang, Naya Raipur, Chhattisgarh
2. Director, State Literacy Mission Rajeev Gandhi Shiksha Mission, Raipur, District Raipur, Chhattisgarh
3. Collector Cum District Mission Director, Rajeev Gandhi Shiksha Mission, Kabirdham, District Kabirdham, Chhattisgarh

---- **Respondents**

For Petitioners	:	Mr.Prateek Sharma and Mr.C.J.K.Rao, Advocates
For Respondent No.1:		Mr. Dil Rati Minz, Dy.G.A.
For Respondents No.2 & 3	:	Mr.Y.S. Thakur, Advocate

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board**08/12/2015**

1. Since the above two writ petitions involve common question of law and facts, therefore, they are being considered and decided by this common order.
2. The petitioners who are Lecturer (Panchayat) were sent on deputation to the respondent No.3 on the post of Block Resource Coordinator by order dated 7.6.2010 and thereafter, by order dated 10.11.2014, order of deputation has been withdrawn and the petitioners have been repatriated to their original post of Lecturer (Panchayat).
3. Mr.Prateek Sharma, learned counsel appearing for the petitioners relying upon the decision in the matter of **Ashok Kumar Ratilal Patel v. Union of India and another**¹ would submit that the petitioners after having been appointed on deputation has an indefeasible right to be treated fairly and equally, they cannot be treated as unequally and that would be the violation of Article 14 of the Constitution of India. To demonstrate the point, Mr.Sharma would further submit that after their repatriation, again Lecturer (Panchayat) namely Mr.F.R. Chandrakar and Mr.Mohan Shrivastava, who are also Lecturer (Panchayat), have been given charge of Block Resource Coordinator and as such, it is arbitrary. He would also submit that in fact, the circular dated 19.9.2014 would not be applicable in the present case.

¹(2012) 7 SCC 757

4. The fact remains that that the Government has taken a decision on 16.9.2014 that Lecturer/Teacher should not be attached to any other office and they should be directed to teach in the school and in compliance of the circular dated 16.9.2014, order of deputation has been withdrawn and they have been directed to work in their original place of posting i.e. Lecturer (Panchayat).
5. There is no pleading and supportive material in the writ petitions to establish that charge of post of Block Resource Coordinator has been again given to Lecturer (Panchayat) in place of the petitioners and as such, it cannot be held that the petitioners were treated unequally and unfairly by withdrawing the order of deputation by order dated 10.11.2014.
6. The fact remains that order of deputation has been withdrawn for the holy purpose that the petitioners who are Lecturer (Panchayat) should teach the students and as such, there is no arbitrary action on the part of the respondent No.3. I do not find any jurisdictional error in the order impugned.
7. Consequently, the writ petitions being devoid of merit are liable to be and are hereby dismissed. No order as to cost(s).

Sd/-
(Sanjay K. Agrawal)
JUDGE

B/-