

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 6703 of 2014

- Rajendra Singh Thakur S/o Shri J.S. Thakur Aged About 56 Years
Assistant Project Co-ordinator, Rajiv Gandhi Siksha Mission, Raipur
Post-Raipur, Thana City Kotwali, Distt. Raipur C.G.

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, School Education
Department, Mahanadi Bhawan, New Raipur C.G.
2. The Director, District Project, Rajiv Gandhi Siksha Mission, Raipur,
Distt. Raipur C.G.
3. District Education Officer Raipur, Distt. Raipur C.G.
4. Chief Electoral Officer Of Chhattisgarh Shashtriy Chowk, D.K.S.
Bhawan, Old Ministry Premises, Raipur C.G.
5. The Collector & District/Electoral Officer Raipur Distt. Raipur C.G.
6. Shri R.K. Chandrawanshi Assistant Project Co-ordinator, Rajiv
Gandhi Siksha Mission, Raipur Post Raipur, Thana City Kotwali,
Distt. Raipur C.G.

---- Respondents

For Petitioner	:Mr. Somkant Verma, Advocate
For Respondent /State	:Mr. Arvind Dubey, Panel Lawyer
For Respondent /Rajiv Gandhi Shiksha Mission	:Ms. Pushpa Dwivedi, Advocate

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

26/8/2015

Heard.

(2) The petitioner has assailed the legality and validity of the order dated 15.12.2014 (Annexure P/1), whereby, the District Education Officer-cum-Ex Officio District Project Coordinator, Rajiv Gandhi Shiksha Mission (RGSM), Raipur has repatriated the petitioner's services to the parent department i.e. Department of School Education and the petitioner has been relieved for Government Middle School, Athrmara Block Chhura District Gariyaband.

(3) Admittedly, vide order dated 22.09.2010, the petitioner was sent on deputation to the RGSM for a period of one year by an order issued by the District Project Director, RGSM, Raipur, under approval by the Collector-cum-District Mission Director, Raipur. Since thereafter, the State Government has issued an order on 29.10.2014 to the effect that for bringing uniformity in conduct of affairs of the RGSM at the District level, implementation of the affairs of RGSM be taken care of by the Assistant Project Coordinator (Finance) and Monitoring & Administrative Control shall be with the District Education Officer.

(4) In view of the document Annexure R/1, the contention of the petitioner that the impugned order passed by the District Education Officer is without jurisdiction because the petitioner was sent on deputation by the Mission Director, has no substance, because, now the DEO has been conferred with the power to have control over the

monitoring and administration of RGSM at the District level.

(5) Be that as it may, it is the settled law that the deputationist has no right to continue with the deputation post unless and until the order of deputation is for a fixed term and the person is repatriated before completion of the term (See- the decision of the Supreme Court in **Kunal Nanda vs. Union of India and another (2000) 5 SCC 362** and the decision of this Court in **Anant Ram Jeri alias A.R. Jeri vs. State of Chhattisgarh and others, W.P.(S) No.2935 of 2015, decided on 13.08.2015**).

(6) In the result, the writ petition being bereft of merits is liable to be and is hereby dismissed.

Sd /-

Judge

(Prashant Kumar Mishra)

Gowri