

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3594 of 2015

- M. L. Sahu S/o Shri Rathram Sahu, Aged About 55 Years Posted As Assistant Block Education Officer, Kota, District Bilaspur, R/o Padavpara Kota, P.S. Kargi Road Kota, District Bilaspur Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, School Education Department Mantralaya, Naya Raipur, Raipur Chhattisgarh
2. The Director, Directorate Of Public Instruction, C-Block, First Floor, Indravati Bhawan, Naya Raipur Chhattisgarh
3. District Education Officer, Bilaspur, District Bilaspur Chhattisgarh
4. Umakant Jaiswal, S/o Hariram Jaiswal, Jabbar & Sans Gali Nehru Nagar, Bilaspur Chhattisgarh
5. Asgar Khan, S/o Noordad Khan, Near Ansari Fabrication, Kumhar Para Talapara, Bilaspur Chhattisgarh
6. Deepak Kumar Gupta, Gram Konchara, Via Belgahana, Tahsil Kota, District Bilaspur Chhattisgarh

---- Respondents

For Petitioner	Shri Mateen Siddiqui, Advocate
For Respondent/State	Shri Y.S. Thakur, Dy. AG with Shri Sangharsh Pandey, Dy. GA

Hon'ble Justice Shri Prashant Kumar Mishra

Order On Board By

06/10/2015

1. With the consent of the learned counsel for the parties, the matter is heard finally.

2. The Division Bench of this Court dismissed WPS No.6759/2014, which was preferred to challenge vires of the Chhattisgarh School Education (Gazetted) Service Recruitment Rules, 2009. Since thereafter the petitioner also preferred WPS No.788/2015, which was disposed of on 19.03.2015 by observing thus:-

“In view of the interim order dated 27.02.2015 passed by the Supreme Court in SLP (Civil) No.3449 of 2015 arising from Writ Petition (S) No.6759 of 2014, we are not inclined to keep this writ petition pending and dispose it with the observation that the final orders passed by the Supreme Court would also govern the case of the writ petitioner.”

3. The petitioners of WPS No.6759/2014 have preferred SLP No.7617/2015 and other connected SLP's, wherein the Supreme Court has passed an interim order on 07.09.2015 directing that 7 posts of Assistant Block Education Officer be kept vacant and the petitioners/appellants before the Supreme Court should not be reverted.
4. In this petition, the petitioner is claiming similar interim relief, as has been granted to other petitioners before the Supreme Court.
5. Once, the writ petition preferred by the petitioners have been disposed of by the Division Bench and the petitioner has not preferred any SLP, a fresh separate writ petition is not maintainable before the Single Bench.
6. Accordingly, the writ petition is dismissed as not maintainable.

Sd/-

JUDGE

PRASHANT KUMAR MISHRA