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HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No.5039 of 2015**

Khelendra Kumar Singh S/o Hridaya Ram Singh, Aged About 33 Years Earlier Posted As Teacher Panchayat At Government Middle School Potedand, Block Baikunthpur R/o Majhgawan, Baikunthpur Tahsil & P.S. Baikunthpur District Koriya Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Thorugh The Secretary, Department Of Panchayat And Rural Development, Mantralaya, Mahandi Bhawan, Naya Raipur, Raipur Chhattisgarh
2. Collector, Koriya, District Koriya Chhattisgarh
3. Chief Executive Officer, Zila Panchayat Koriya District Koriya Chhattisgarh

---- Respondents

And**WPS No.4941 Of 2015**

Smt. Amar Bela Ekka W/o Prabhu Dayal Ekka, Aged About 44 Years Earlier Posted As Teacher (Panchayat), At Government Middle School Potedand, Block Baikunthpur R/o Village Salba, Baikunthpur Tahsil & P. S. Baikunthpur District Koriya (Chhattisgarh)

---- Petitioner

Vs

1. State Of Chhattisgarh Through The Secretary, Department Of Panchayat And Rural Development, Mantralaya, Mahanadi Bhawan, Naya Raipur, Raipur (Chhattisgarh)
2. Collector, Koriya District Koriya (Chhattisgarh)
3. Chief Executive Officer, Zila Panchayat Koriya District Koriya (Chhattisgarh)

---- Respondents

And**WPS No.4944 Of 2015**

Ajay Kumar Ekka S/o Denial Ekka, Aged About 34 Years Earlier Posted As Teacher (Panchayat), At Government Middle School Potedand, Block Baikunthpur, R/o Talwapara, Baikunthpur, Tahsil & P.S. Baikunthpur, District Koriya, (Chhattisgarh)

---- Petitioner

Vs

1. State Of Chhattisgarh Through The Secretary, Department Of Panchayat And Rural Development, Mantralaya, Mahanadi Bhawan, Naya Raipur, Raipur, (Chhattisgarh)
2. Collector, Koriya, District Koriya, (Chhattisgarh)
3. Chief Executive Officer, Zila Panchayat, Koriya, District Koriya, (Chhattisgarh)

---- Respondents

And

WPS No.4945 Of 2015

Smt. Ranjana Tirkey W/o Sanjeev Ekka, Aged About 37 Years Earlier Posted As Teacher (Panchayat), At Government Middle School Potedand, Block Baikunthpur, R/o School Para, Baikunthpur, Tahsil & P.S. Baikunthpur, District Koriya, (Chhattisgarh)

---- Petitioner

Vs

1. State Of Chhattisgarh Through The Secretary, Department Of Panchayat And Rural Development, Mantralaya, Mahanadi Bhawan, Naya Raipur, Raipur, (Chhattisgarh)
2. Collector, Koriya, District Koriya, (Chhattisgarh)
3. Chief Executive Officer, Zila Panchayat, Koriya, District Koriya, (Chhattisgarh)

---- Respondents

And

WPS No.5042 Of 2015

Subhash Kerketta S/o T. Kerketta, Aged About 40 Years Earlier Posted As Teacher Panchayat At Government Middle School Potedand, Block Baikunthpur R/o Village Phulpur, Tahsil Baikunthpur P.S. Charcha District Koriya Chhattisgarh

---- Petitioner

Vs

1. State Of Chhattisgarh Through The Secretary, Department Of Panchayat And Rural Development, Mantralaya, Mahanadi Bhawan, Naya Raipur, Raipur Chhattisgarh
2. Collector, Koriya, District Koriya Chhattisgarh
3. Chief Executive Officer, Zila Panchayat Koriya District Koriya Chhattisgarh

---- Respondents

For Petitioners : Shri Mateen Siddiqui, Advocate
For Respondent No.1 & 2 : Shri Dilman Rati Minz, Dy.GA
For Respondent No.3-CEO, Zila Panchayat, Koriya- Shri Vinay Pandey and Shri
Adhiraj Surana, Advocates.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

03/08/2016

Heard.

2. These petitions involve common issue for consideration is whether after revocation of suspension, the petitioner can be posted at a place other than the place wherefrom he was suspended.
3. In the case of ***Khadanand Patanwar vs. State of Chhattisgarh and others (W.P.(S)No.3146 of 2015, decided on 08-09-2015***, this Court has decided that after revocation of suspension, the posting of the petitioner to a place other than the place of original posting, such recourse is not available to the authority who has revoked the suspension.
4. Though, learned counsel for the respondents submits that subsequently, Full Bench of High Court of Madhya Pradesh has taken a different view.
5. Considering that this Court has already taken a view in the aforesaid case ***Khadanand Patanwar*** (supra), these petitions are finally disposed off with a direction to the respondents to consider the posting of the petitioners in accordance with the legal position adumbrated by this Court vide order dated 08-09-2015 and pass appropriate orders within a period of 30 days.
6. In the result, all the petitions are finally disposed off. As far as the issue of major penalty is concerned, for that the petitioners would be at liberty to take separate remedy.

SD/-
(Manindra Mohan Shrivastava)
Judge