

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3595 of 2016

Girdhar Prasad Sarthi S/o Ramadhar Sarthi Aged About 39 Years R/o Village & Post Thuskela Tah Kharisiya District Raigarh (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through, The Secretary, Department Of Panchayat And Social Welfare, Mahanadi Bhavan, Mantralaya, New Raipur, District Raipur (Chhattisgarh)
2. Chief Executive Officer, Jila Panchayat, Raigarh, District- Raigarh (Chhattisgarh)
3. Chief Executive Officer, Janpad Panchayat, Kharsiya, District Raigarh (Chhattisgarh)

---- Respondents

And

WPS No. 3596 Of 2016

Shanti Prasad Sahu S/o Shri Gorelal Sahu Aged About 33 Years R/o Village & Post Bade Deogaon District Raigarh (Chhattisgarh)

---- Petitioner

Vs

1. State Of Chhattisgarh Through, The Secretary, Department Of Panchayat And Social Welfare, Mahanadi Bhavan, Mantralaya, New Raipur, District Raipur (Chhattisgarh).
2. Chief Executive Officer, Jila Panchayat, Raigarh, District- Raigarh (Chhattisgarh)
3. Chief Executive Officer, Janpad Panchayat, Kharsiya, District Raigarh (Chhattisgarh)

---- Respondents

And

WPS No. 3487 Of 2016

B.R.Rathiya S/o Sukhdev Singh, Aged About 38 Years R/o Village Tarekela Tah
Dharamjaigarh, District Raigarh Chhattisgarh

---- Petitioner

Vs

1. State Of Chhattisgarh Through The Secretary, Department Of Panchayat And Social Welfare, Mahandi Bhawan, Mantralaya, New Raipur, District Raipur Chhattisgarh
2. Chief Executive Officer, Jila Panchayat, Raigarh, District Raigarh Chhattisgarh
3. Chief Executive Officer, Janpad Panchayat Kharsiya, District Raigarh Chhattisgarh

---- Respondents

And

WPS No. 5180 Of 2016

Rajeshwar Singh Rathiya S/o Shri Natawar Rathiya, Aged About 31 Years
Working As Assistant Teacher (Panchayat) Govt. Primary School Binzkot, Block
& Tahsil Kharsiya, Distt. Raigarh, (Chhattisgarh)

---- Petitioner

Vs

1. State Of Chhattisgarh Through Secretary, Panchayat & Rural Development Department, Mantralaya, Mahanadi Bhawan, Naya Raipur, (Chhattisgarh)
2. Collector, Raigarh, Distt. Raigarh, (Chhattisgarh)
3. Chief Executive Officer, Zila Panchayat, Raigarh, District Raigarh (Chhattisgarh)
4. Chief Executive Officer, Zila Panchayat, Kabirdham, District Kabirdham, (Chhattisgarh)
5. Chief Executive Officer, Janpad Panchayat, Kharsiya, District Raigarh, (Chhattisgarh)

---- Respondents

And

WPS No. 5145 of 2016

Khobnath Yadav S/o Shri Bhuwan Lal Yadav, Aged About 32 Years Working As Assistant Teacher (Panchayat) At Govt. High School Chhotepandarmunda, Block Kharsiya Dist. Raigarh (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Panchayat & Rural Development Department, Mantralaya, Mahanadi Bhawan, Naya Raipur (Chhattisgarh)
2. The Collector, Raigarh, District Raigarh (Chhattisgarh).
3. Chief Executive Officer, Zila Panchayat Raigarh, District Raigarh (Chhattisgarh)
4. Chief Executive Officer, Zila Panchayat Kabirdham, District Kabirdham (Chhattisgarh)
5. Chief Executive Officer, Janpad Panchayat, Kharsiya, District Raigarh (Chhattisgarh)
6. Principal, Govt. High School Chhotepandarmunda, Block Kharsiya, District Raigarh (Chhattisgarh)

---- Respondents

For respective Petitioners	:	Shri Ajay Shrivastava and Shri R.S. Patel, Advocates
For Respondent/State	:	Shri D.R. Minj, Dy. Govt. Advocate

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

17/01/2017

Heard.

1. These petitions have been filed by the petitioners, the Assistant Teachers, assailing legality and validity of the transfers made by one Jila Panchayat to another Jila Panchayat.
2. This Court, in the case of **Smt. Geeta Sukhdev Vs. State of Chhattisgarh**¹ and other connected matters, has allowed the writ petitions by holding the

¹ WPS No. 1273 of 2016 and batch of petitions decided on 23.12.2016

impugned transfer orders as illegal on the ground of lack of jurisdiction and competence.

3. Accordingly, these petitions are also allowed in the same terms as observed and ordered by this Court in the case of **Smt. Geeta Sukhdeve** (supra) and batch of petitions. The transfer orders in relation to the petitioners are declared illegal.

Sd/-
(**Manindra Mohan Shrivastava**)
Judge

Praveen