

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 6713 of 2016

Alok Dubey S/o Shri R.K. Dubey, Aged About 40 Years Lecturer Of Government
Higher Secondary School Ganiyari, Bilaspur, District Bilaspur Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Thorough The Secretary Department Of Panchayat And Rural Welfare Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur Chhattisgarh
2. Collector, Bilaspur, Distirct Bilaspur Chhattisgarh
3. Chief Executive Officer, Zila Panchayat Bilaspur, District Bilaspur Chhattisgarh
4. District Education Officer, Bilaspur, District Bilaspur Chhattisgarh
5. Principal Of Government Higher Secondary School Ganiyari Bilaspur District Bilaspur Chhattisgarh
6. Anil Kumar Thakur, Lecturer Government Higher Secondary School Ganiyari, Bilaspur District Bilaspur Chhattisgarh

---- Respondents

And

WPS No. 6680 Of 2016

Sandeep Kumar Shastri S/o Shri Bihari Lal Shastri, Aged About 34 Years R/o Village
& Post Baima (Nagoi) Via S.E.C.L., Tehsil Bilaspur District Bilaspur Chhattisgarh

---- Petitioner

Vs

1. State Of Chhattisgarh Thorough The Secretary, Deptment Of Panchayat & Rural Development, Mahanadi Bhawan, Capital Complex, Mantralaya Naya Raipur Chhattisgarh
2. State Of Chhattisgarh Through The Secretary Department Of School Education Mahanadi Bhawan, Capital Complex, Mantralaya, Naya Raipur Chhattisgarh
3. The Collector, Bilaspur Chhattisgarh
4. The Chief Executive Officer, Jila Panchayat, Bilaspur District Bilaspur Chhattisgarh
5. The Distirct Education Officer, District Bilaspur Chhattisgarh

---- Respondents

And

WPS No. 6719 Of 2016

Ramlal Mishra S/o Late Shankar Prasad Mishra Aged About 56 Years Presently Posted As Lecturer Government Higher Secondary School Deorikhurd, Tehsil Bilaspur, District- Bilaspur, Chhattisgarh

---- Petitioner

Vs

1. State Of Chhattisgarh Through The Secretary Department Of Panchayat & Rural Development, Mahanadi Bhawan, Capital Complex, Mantralaya Naya Raipur, Chhattisgarh
2. State Of Chhattisgarh, Through The Secretary Department Of School Education Mahanadi Bhawan, Capital Complex, Mantralaya, Naya Raipur, Chhattisgarh
3. The Director, Directorate Of Public Instruction Indravati Bhawan, Naya Raipur, Chhattisgarh
4. The Collector, Bilaspur, Chhattisgarh
5. The Chief Executive Officer, Zila Panchayat, Bilaspur, District- Bilaspur, Chhattisgarh
6. The District Education Officer, District Bilaspur, Chhattisgarh

---- Respondents

Shri Praveen Das, counsel for the petitioners in WPS No.6719/2016 and WPS No.6680/2016.
Shri Chandresh Shrivastava, counsel for the petitioner in WPS No.6713/2016.
Shri Satish Gupta, Govt. Advocate for the State.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

22/02/2017

All these petitions are being disposed off by this common order as the petitioners have filed these petitions challenging the same transfer order dated 30/11/2016.

At the outset, learned State counsel submits that the transfer order of each of the petitioners has been cancelled vide order dated 08/02/2017.

Learned counsel for the petitioner in WPS No.6713/2016 submits that the petitioner is being sent time and again by wrongly treating him as surplus employee

which requires adjudication.

As the cause of action does not survive as the transfer order has already been cancelled, this Court is not required to go into other aspect of the matter. In case, in future, the petitioner is subjected to any action by treating him as surplus, it would be open for the petitioner to raise issue by taking remedy available to him under the law. The petitions are accordingly disposed off as having been rendered infructuous.

Sd/-
(Manindra Mohan Shrivastava)
Judge