

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 4696 of 2017**

1. Raju Kumar Kujur S/o Shri J. Xavier Kujur, Aged About 39 Years Presently Posted And Working As Assistant Teacher Panchayat, Primary School, Barpara Kasu, Block Lakhanpur, District Surguja Chhattisgarh
2. Shri Sandeep Kumar Gupta, S/o Shri Dev Prasad Gupta, Aged About 31 Years Presently Posted And Working As Assistant Teacher Panchayat, Primary School, Jodhpur, Block Lakhanpur, District Surguja Chhattisgarh
3. Anuranjan Kerketta, S/o Shri Birendra Kerketta, Aged About 27 Years Presently Posted And Working As Assistant Teacher Panchayat, Primary School, Kurman, Block Lakhanpur, District Surguja Chhattisgarh
4. Ambika Prasad Singh, S/o Shri Amardhan Singh, Aged About 26 Years Presently Posted And Working As Assistant Teacher Panchayat, Primary School, Chandu, Block Lakhanpur, District Surguja Chhattisgarh
5. Rakesh Kumar Patel, S/o Shri J. P. Patel, Aged About 30 Years Presently Posted And Working As Assistant Teacher Panchayat, Primary School, Korjapara, Block Lakhanpur, District Surguja Chhattisgarh

---- Petitioners**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Panchayat And Rural, Mahanadi Bhawan, Mantralaya New Raipur, Chhattisgarh
2. Chief Executive Officer, Jila Panchayat, Surguja, Distt. Surguja (C.G.)
3. Chief Executive Officer, Janpad Panchayat, Surguja, Distt. Surguja (C.G.)

---- Respondents

For Petitioner	:	Mr. Vineet Kumar Pandey, Advocate
For Respondent/State	:	Ms. Sunita Jain, Panel Lawyer

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****12/09/2017**

Heard.

1. Learned counsel for the petitioners submits that the issue involved in the present case is squarely covered by order dated 03.07.2017 passed in WPS No.2791 of 2017 in respect of similarly situated employee, whose transfer from the jurisdiction of one Zila Panchayat to other Zila Panchayat has been held to be without jurisdiction and illegal by this Court in WPS No.1273 of 2016 (Smt. Geeta Sukhdeve Vs. State of Chhattisgarh and others) and batch of petitions.
2. Learned counsel for the petitioners submits that one Ku. Girija Patel was also one of the aggrieved employee like the petitioner had assailed the order of transfer from one Zila Panchayat to other Zila Panchayat, which was set aside by this Court. Later on, Ku. Girija Patel filed another petition WPS No.2791 of 2017 claiming that she is entitled to salary for the period it was not paid to her for non-joining pursuant to the impugned order of transfer. That petition has been allowed vide order dated 03.07.2017 with the direction to make payment of salary with effect from the date of transfer till the date of joining. Learned counsel for the petitioners further adds that the petitioners have actually worked for six months in District Surguja.
3. Learned State counsel could not dispute the legal position and that the case of the petitioners is similar to that of Ku. Girija Patel in whose favour, order has been passed by this Court on 03.07.2017. He, however, submits that it would require factual verification as to the date on which the petitioners joined duty.
4. In view of the aforesaid submission, I am inclined to allow this petition on

the same terms as in the case of Ku. Girija Patel (WPS No.2791 of 2017) decided vide order dated 03.07.2017 and direct respondents to grant consequential relief including wages with effect from the date of transfer till the date, the petitioners joined their duty. Let necessary steps be taken in this regard within a period of 60 days from today.

Sd/-
(Manindra Mohan Shrivastava)
Judge