

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 5062 of 2016

- Prabhakar Singh S/o Shri Heeralal Singh, Aged About 52 Years Working As Lecturer/ Hostel Superintendent, Tribal Youth Hostel Dwarika 18 A, New Delhi (India)

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Education Department, Mahanadi Bhavan, Mantralaya, New Raipur, Distirct Raipur Chhattisgarh
2. Commissioner, Tribal Welfare Development, Department Raipur, District Raipur Chhattisgarh
3. Director, Tribal Welfare Development, Department, Raipur Distirct Raipur Chhattisgarh
4. Administrative Officer, Tribal Youth Institute Dwarika, New Delhi,

---- Respondent

And

WPS No. 3392 Of 2016

- Pramod Kumar Khanna S/o Late Shri Heeranand Khanna, Aged About 49 Years Presently Posted As Lecturer, Boys Middle School Chowki, District Rajnandgaon (Chhattisgarh).

---- Petitioner

Vs

1. State Of Chhattisgarh Through The Secretary, Department Of School Education, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur (Chhattisgarh).
2. Director, Directorate Public Instructions, Pension Bada Raipur, District Raipur (Chhattisgarh).
3. Collector, Rajnandgaon, District Rajnandgaon (Chhattisgarh).

4. Shri Makhan Lal Ramteke Presently Posted As Upper Division Teacher, Middle School Vicharpur, District Rajnandgaon (Chhattisgarh).

---- Respondent

And

WPS No. 3740 Of 2016

- Janbhan Singh Paikra S/o Shri Sumer Singh, Aged About 52 Years Lecturer Block Gourella, District Bilaspur, (Chhattisgarh)

---- Petitioner

Vs

1. State Of Chhattisgarh Through The Secretary, Department Of Education, Mahanadi Bhavan, Mantralaya, New Raipur, District Raipur, (Chhattisgarh)
2. Collector, Bilaspur, (Chhattisgarh)

---- Respondent

And

WPS No. 4004 Of 2016

- Ramkumar Dubey S/o Late Santram Dubey, Aged About 52 Years Lecturer Govt. Middle School, Chakabuda, Katghora, R/o Bankimogra (Jungle Side) District Korba Chhattisgarh

---- Petitioner

Vs

1. State Of Chhattisgarh Through The Secretary, Education Department, Mahanadi Bhavan, Mantralaya, New Raipur, District Raipur Chhattisgarh
2. Collector, Korba, District Korba Chhattisgarh
3. Block Education Officer, Kartala District Korba Chhattisgarh

---- Respondents

For Petitioners	Shri H. B. Agrawal, Senior counsel with Shri S. K. Kushwaha, counsel in WPS Nos.5062 & 4004 of 2016, Shri Ajay Shrivastava counsel in WPS No.3740/2016 and Shri Aditya Tiwari, counsel in WPS No.3392/2016.
For Respondent-State	Ms. K. T. Rao, PL
For Respondent No.4 in WPS No.3392/2016	Shri Punit Ruparel, Advocate

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

17/04/2017

1. All the petitioners are holding the substantive post of Lecturer, however, they have been transferred from their present place of posting to a different school by showing them as Upper Division Teacher.
2. In WPS No.3740/2016, the respondents have admitted in para 3 of the return that the transfer order in respect of this petitioner i.e. Janbhan Singh Paikra has been issued by inadvertence and a proposal for cancellation of the transfer has already been moved. Similar contention has not been made in other writ petitions, however, the fact remains that on the strength of interim order passed by this Court, all the petitioners are continuing at their present place of posting despite the transfer order issued in the month of July 2016.

3. The present academic session has almost come to an end and the new academic session will begin from July 2017, therefore, instead of keeping these writ petitions pending, they are disposed of with observation that the respondents shall not insist upon implementation of the impugned order in respect of the present petitioners, however, they would be at liberty to pass a fresh order depending upon the administrative exigency.

Sd/-

JUDGE

PRASHANT KUMAR MISHRA

Nirala