

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 105 of 2017**

1. Amrit Kumar Singh S/o Shri Phool Sai Singh, aged about 21 years, Part Time Sweeper Primar School Mahuwapara, Village Panchayat Kewara, P.S. & Tahsil Surajpur, District Surajpur, (Chhattisgarh)
2. Smt. Rambai, W/o Shivbalak, aged about 35 years, Part Time Sweeper Primary School Nawapara (Kusmushi), Village Panchayat Kusmushi, P.S. & Tahsil Bhaiyathan, District Surajpur (Chhattisgarh)
3. Smt. Indra Kunwar, W/o Chhertu Sarthi, aged about 33 years, Part Time Sweeper, Govt. Middle School, Pidha, Village Panchayat Pidha, P.S. & Tahsil School Surajpur, District Surajpur, (Chhattisgarh)

---- Petitioners**Versus**

1. State of Chhattisgarh through the Secretary, Department of Tribal Development Mahanadi Bhawan, New Raipur, District Raipur, (Chhattisgarh)
2. The Commissioner, Tribal Development Indrawati Bhawan, New Raipur, District Raipur, (Chhattisgarh)
3. The Collector, Surajpur, District Surajpur, (Chhattisgarh)
4. The Assistant Commissioner, Tribal Development Surajpur, District Surajpur, (Chhattisgarh)
5. The Block Education Officer, Bhaiyathan, Distt. Surajpur, (Chhattisgarh)
6. Block Education Officer, Surajpur, Block Surajpur, Distt Surajpur, (Chhattisgarh)

---- Respondents

For Petitioners	:	Shri A. N. Pandey, Advocate
For Respondent/State	:	Ms. Astha Shukla, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy**Order On Board****12/01/2017**

The present writ petition has been filed seeking for a direction to the respondents to allow the petitioners to continue on the post of Part Time Sweeper.

2. Counsel for the petitioner submits that the issue involved in the present case has already been decided by this Court in WPS No. 6250 of 2016 dated 16.11.2016 and prays that the present petition may also be disposed of in terms of the order passed in the aforesaid writ petition.

3. State counsel however submits that the said writ petition referred to by the counsel for the petitioner was disposed of in the light of an order passed in the case of Rameshwar Prasad Rajwar & Ors. Vs. State of Chhattisgarh & Ors. where liberty was granted to the State Govt. to verify the status, eligibility and competence of the part time sweepers and that liberty may also be granted to the State in the present case also.

4. The objection made by the counsel for the State seems to be genuine.

5. Accordingly, it is directed that the respondent no.4 shall individually examine the case of each of the petitioners herein and verify the fact. In case if the petitioners are found to be similarly placed as the petitioners in the case of Rameshwar Prasad Rajwar & Ors. Vs. State of Chhattisgarh & Ors., an appropriate order shall be passed by the respondent no.4 at the earliest preferably within a period of 90 days from the date of receipt of copy of this order.

6. With the aforesaid observation, the present Writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
JUDGE