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HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 323 of 2017**

- Dineshwari Tondon W/o Ramkhilawan Tondon Aged About 35 Years R/o Village Thelkadih, Post Mahrum Kala, Tehsil Khairagarh, Dist. Rajnandgaon (Chhattisgarh) Posted As Lecturer Panchayat, Government Higher Secondary School, Thelkadih, Block Khairagarh, Dist. Rajnandgaon (Chhattisgarh)

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, School Education Department, Mahanadi Bhawan, Naya Raipur, Dist. Raipur (Chhattisgarh)
2. Director, Directorate Of Public Education, Government Science College Campus, Raipur, Dist. Raipur (Chhattisgarh)
3. The Collector, Rajnandgaon, District Rajnandgaon (Chhattisgarh)
4. Chief Executive Officer, Zila Panchayat, Dist. Rajnandgaon (Chhattisgarh)
5. District Education Officer, District Rajnandgaon (Chhattisgarh)

---- Respondent**And****WPS No. 424 Of 2017**

- Ramkhilawan Tondon S/o Late Makrudas Tondon, Aged About 40 Years R/o Village Thelkadih, Post Mahrum Kala, Tehsil Khairagarh, Distt. Rajnandgaon, (Chhattisgarh), Posted As Lecturer Panchayat, Government Higher Secondary School, Mohra, Block Dongargarh, Distt Rajnandgaon, (Chhattisgarh)

---- Petitioner**Vs**

1. State Of Chhattisgarh Through Secretary, School Education Department, Mahanadi Bhawan, Naya Raipur, Distt. Raipur (Chhattisgarh)

2. Director, Directorate Of Public Education, Government Science College Campus, Raipur, Distt Raipur, (Chhattisgarh)
3. The Collector, Rajnandgaon, Distt. Rajnandgaon, (Chhattisgarh)
4. Chief Executive Officer, Zila Panchayat, Distt. Rajnandgaon, (Chhattisgarh)
5. District Education Officer, Distt. Rajnandgaon, (Chhattisgarh)

---- Respondent

For Petitioners : Shri Lalit Jangde, Advocate.
 For Respondent/State : Miss Tripti Rao, Panel Lawyer.
 For Respondent No.4 : Shri Akhilesh Kumar, Advocate.

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

26/04/2017

1. The petitioners are working as Shiksha Karmi Grade-I/Lecturer (Panchayat). They have been proceeded departmentally for the reason that at the time of entering the service, they had more than 3 children, one of them being born after 26th January, 2001, therefore, they were ineligible for entering into the service.
2. In the return filed by respondent No.4, an order passed by the State Government on 16.2.2017 has been annexed whereby the State Government has directed that in cases where the departmental proceedings are going on for removing the employees who have 3rd child born after 26.1.2001, the said departmental proceedings should be kept in abeyance till further orders.
3. In view of the order dated 16.2.2017, the Writ Petitions are rendered infructuous for the present. Therefore, the Writ Petitions are disposed of with an observation that depending upon final decision of the State

Government on the issue, the petitioners would be at liberty to move afresh before this Court if the cause of action still survives.

Sd/-
Judge
(Prashant Kumar Mishra)

Barve