

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 128 of 2017

Vijendra Kumar Chaturvedi S/o Shri D. B. Chaturvedi, Aged About 39 Years
Assistant Teacher Panchayat, Presently Posted As : Cluster Resource
Coordinator Rajiv Gandhi Siksha Mission Cluster Center : Dhaneli, Block
Nawagarh, Distt Janjgir Champa, (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through: The Secretary To The Govt. Of Chhattisgarh,
Department Of School Education, Mantralaya, Mahanadi Bhavan, Naya Raipur:
P S Rakhi, Raipur, (Chhattisgarh)
2. The Collector Cum District Mission Director, Rajiv Gandhi Shiksha Mission
Janjgir Champa, Distt. Janjgir Champa, (Chhattisgarh)
3. District Education Officer Cum District Project Coordinator, Rajiv Gandhi
Shiksha Mission, Janjgir Champa, Distt. Janjgir Champa, (Chhattisgarh)
4. District Mission Coordinator, Rajiv Gandhi Shiksha Mission, Janjgir Champa,
Distt Janjgir Champa, (Chhattisgarh)
5. Block Education Officer, Janjgir Champa, Distt Janjgir Champa, (Chhattisgarh)
6. Block Resources Coordinator, Block Dhaneli, Rajiv Gandhi Shiksha Mission,
Janjgir Champa, Distt Janjgir Champa, (Chhattisgarh)
7. The Chief Executive Officer, Jila Panchayat: Janjgir Champa, Distt Janjgir
Champa, (Chhattisgarh)
8. The Chief Executive Officer, Janpad Panchayat Nawagarh, Janjgir Champa,
Distt Janjgir Champa, (Chhattisgarh)
9. General Administration Committee, Through: The Chairman, Janpad Panchayat
Nawagarh, Janjgir Champa, Distt Janjgir Champa, (Chhattisgarh)

---- Respondents

For Petitioner	:	Shri Anurag Dayal Shrivastava, Advocate
For State	:	Shri D.R. Minj, Dy. Govt. Advocate
For Rajiv Gandhi Shiksha Mission	:	Shri B.L . Sahu, Advocate under instructions from Shri A.S. Kachhawaha, Advocate

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

20/01/2017

Heard.

1. Considering the limited issue and settled legal position, State counsel was directed to seek instructions from the Chief Executive Officer, Janpad Panchayat, Nawagarh, Janjgir Champa.
2. Learned counsel for the State submits that he does not have any instructions right now.
3. This petition arises out of order dated 7.12.2016 by which the petitioner has been posted at Primary School, Durupa. While the petitioner was working as Cluster Resource Coordinator at Dhaneli under Rajiv Gandhi Siksha Mission, he was suspended. Later on, when suspension of the petitioner was revoked on 7.12.2016, he has been posted at Primary School, Durupa.
4. Learned counsel for the petitioner submits that upon revocation of suspension, the petitioner is liable to be posted at the same place and this issue is no longer res integra and decided by this Court in number of cases including **Bhopal Tande Vs. State of Chhattisgarh and Ors.**¹
5. Taking into consideration the settled legal position, this petition is finally disposed off with a direction to the respondent No.8/Chief Executive Officer, Janpad Panchayat, Nawagarh, to pass fresh order posting the petitioner at the same place wherefrom he was suspended. However, thereafter, it would be open for the authorities to issue fresh order of transfer/repatriation in respect of the petitioner in times to come, if exigency so arises.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Praveen

¹ WPS No.2498 of 2015 decided on 10.8.2015