

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 3785 of 2012**

Chandrakumar Markandey, aged about 27 years, S/o Shri Dharam Singh Markandey, R/o Vill. Khemda, Post Devari, Tah. Baghbahara, District Mahasamund (CG)

---- Petitioner**Versus**

1. State of Chhattisgarh, through the Secretary, Ministry of Panchayat and Rural Development, Mantralaya DKS Bhawan, Raipur (CG)
2. The Collector, District Mahasamund (CG)
3. Chief Executive Officer, District Panchayat Mahasamund (CG)
4. District Education Officer, District Mahasamund (CG)
5. The Principal, Government Higher Secondary School Bodridadar, Block Baghbahara, District Mahasamund (CG)

---- Respondents

For Petitioner	:	Shri Rakesh Thakur, Advocate
For State	:	Shri Majid Ali, Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****08.08.2018**

The challenge in the present writ petition is the issuance of the impugned orders Annexure P-4 dated 22.07.2011 and Annexure P-5 dated 27.07.2011 whereby the petitioner has not been granted joining on the post of Shiksha Karmi Grade-I on the ground that his resignation that he has submitted on the post of Shiksha Karmi Grade-I has not been accepted by the Department on account of some pending departmental enquiry.

2. Perusal of the record would show that by an interim protection granted by this Court, the petitioner has been granted joining on the post of Shiksha Karmi Grade-I vide order dated 06.03.2013. While passing the interim order dated 06.03.2013 this Court had made it clear that the said joining would not affect the pending enquiry against the petitioner. The subsequent development in the departmental enquiry is not known to either the petitioner or the State Counsel.

3. Under the circumstances, this Court is of the opinion that since the petitioner has been permitted to assume his charge as Shiksha Karmi Grade-I in 2013 itself, ends of justice would serve if the writ petition is disposed of at this stage directing the respondents to maintain the status quo as it stands today so far as the petitioner's appointment as Shiksha Karmi Grade-I is concerned till the outcome of the departmental enquiry initiated by the Department against the petitioner while working as Shiksha Karmi Grade-II. Any further decision would be subject to the outcome of the departmental enquiry.

4. The writ petition accordingly stands disposed off.

**Sd/-
P. Sam Koshy
Judge**