

HIGH COURT OF CHHATTISGARH, BILASPUR**WRIT PETITION (S) NO.6598 OF 2018**

1. Smt. Suriti Chouhan W/o Shri Jai Prasad Chouhan, Aged About 27 Years Occupation Assistant Teacher (Panchayat) At Government Primary School, Nawapali, Block Pusour, District Raigarh Chhattisgarh.
2. Parmjeet Singh Sidar S/o Shri Govind Ram Sidar Aged About 29 Years Occupation Assistant Teacher (Panchayat) At Government Primary School, Kesaipali, Block And Tahsil Pusour, District Raigarh Chhattisgarh.
3. Dadhiram Gupta S/o Shri Harishankar Gupta Aged About 45 Years Occupation Assistant Teacher (Panchayat) At Government Primary School, Dumarmuda, Block And Tahsil Pusour, District Raigarh (CG).
4. Adarsh Choubey, S/o Shri Ravindra Choubey Aged About 38 Years Occupation Assistant Teacher (Panchayat) At Government Primary School, Dharampur, Block And Tahsil Pusour, District Raigarh (CG).
5. Vrishketu Bhoy S/o Shri Jaisingh Bhoy, Aged About 50 Years Occupation Assistant Teacher (Panchayat) At Government Primary School, Khairdipa, Block And Tahsil Pusour, District Raigarh Chhattisgarh.
6. Smt. Nanda Sao W/o Shri Verudhar Sao, Aged About 40 Years Occupation Assistant Teacher (Panchayat) At Government Primary School, Amapali, Block And Tahsil Pusour, District Raigarh Chhattisgarh.
7. Visheshwar Siddarth S/o Shri Shaukilal Siddarth, Aged About 45 Years Occupation Assistant Teacher (Panchayat) At Government Primary School, Kauwatal, Block And Tahsil Pusour, District Raigarh Chhattisgarh.
8. Smt. Pushpa Chouhan, W/o Shri Santosh Chouhan Aged About 30 Years Occupation Assistant Teacher (Panchayat) At Government Primary School, Kesaipali, Block And Tahsil Pusour, District Raigarh Chhattisgarh.
9. Smt. Deepmala Kujur W/o Shri Deepak Kujur, Aged About 29 Years Occupation Assistant Teacher (Panchayat) At Government Primary School, Dokarbuda, Block Gharghoda, District Raigarh Chhattisgarh.

...Petitioner(s)**Versus**

1. State Of Chhattisgarh Through The Secretary, Panchayat And Rural Welfare Department Mantralaya Mahanadi Bhawan New Raipur District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. Chief Executive Officer, Zila Panchayat Raigarh District Raigarh Chhattisgarh.
3. Chief Executive Officer, Janpad Panchayt Pusour And Gharghoda District Raigarh Chhattisgarh.

... Respondent(s)

For Petitioners	:	Shri RS Patel, Advocate.
For Respondent-State	:	Shri RN Pusty, Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****10.10.2018**

1. The claim of the petitioners in the present petition is for a direction to the respondents No.2&3 for considering their case for grant of salary for the period between 18.04.2016 to 09.01.2017.

2. The counsel for the petitioners submits that during the said period the petitioners had been illegally transferred by an illegal order from Raigarh to different districts which was otherwise not legally permissible. According to counsel for the petitioners, the petitioners had preferred a writ petition before this court which was allowed by the High Court holding that the transfer orders were per se illegal. Thereafter batch of petitioners had filed writ petition one among which being Ku. Girija Patel Vs. State of Chhattisgarh & Ors., WPS No.2791 of 2017, seeking wages for the intervening period during which they were illegally transferred. The said writ petition of Girija Patel (Supra) was decided on 03.07.2017 and it was ordered for releasing the salary of the petitioners therein.
3. The said judgment of this court in Ku. Girija Patel (Supra) was subjected to challenge in Writ Appeal No.533 of 2017 and the said Writ Appeal has now been dismissed by this court on 04.10.2018.
4. Given the fact that the claim of the petitioners for salary for the period between 18.04.2016 to 09.01.2017 has already been adjudicated upon by this court in WPS No.2791 of 2017 decided on 03.07.2017 and which has already been affirmed by the Division Bench in Writ Appeal, this court is of the opinion that the present writ petition also deserves to be allowed in similar terms.
5. Accordingly, the present writ petition also stands allowed in similar terms as has been decided by this court on 03.07.2017 in WPS No.2791 of 2017. As a consequence, the petitioners would be entitled for the relief as prayed in the petition.

Sd/-

(P. Sam Koshy)
Judge