

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****Writ Petition (S) No. 7420 of 2018**

1. Ajay Mehta S/o Kalika Prasad, Aged About 48 Years R/o Village Lundra, Ambikapur, District Surguja, Chhattisgarh
2. Ramdas S/o Arjun Das, Aged About 32 Years R/o Village Lundra, Ambikapur, District Surguja Chhattisgarh
3. Premlata Sinha D/o Santosh Sinha Aged About 47 Years R/o Village Lundra, Ambikapur, District Surguja Chhattisgarh
4. Shanti Ekka D/o P. Toppo, Aged About 44 Years R/o Village Lundra, Ambikapur, District Surguja Chhattisgarh
5. Shivlal Minj S/o Ramchandra Aged About 50 Years R/o Village Lundra, Ambikapur, District Surguja Chhattisgarh

---- Petitioners**Versus**

1. The State Of Chhattisgarh Through Its Secretary, Department Of Woman And Child Development, Mahanadi Bhawan, Naya Raipur, District Raipur Chhattisgarh
2. The District Programme Officer, Department Of Woman And Child Development, District Surguja Chhattisgarh
3. The Collector, Ambikapur, District Surguja Chhattisgarh

---- Respondents

For Petitioners	:	Shri T. K. Tiwari, Advocate
For State	:	Shri D. Wankhede, Govt. Advocate

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

13/11/2018

The petitioners have filed the present writ petition seeking for a direction to take the petitioners back in service and they be treated as State Govt. Employees.

2. Perusal of the record would show that the petitioners on an earlier occasion had approached this Court by way of a writ petition i.e. WP No. 5997 of 2006 and 6157 of 2006. Both these writ petitions were dismissed by this High Court vide its order dated 10.08.2015. The dismissal of these two writ petitions was put to challenge in two writ appeals i.e. W. A. Nos. 411/15 and 412/15. The Division Bench of this Court in which I also was a member had affirmed the order passed by the learned Single Judge. The said orders of the Single Bench as well as by the Division Bench were taken to the Supreme Court vide SLP No. 8148 and 8149 of 2016 and the Supreme Court finally passed the following order on 29.04.2016:

“We find from the impugned order that the petitioners here had withdrawn their appeals filed before the Division Bench of the High Court whereby the order of the learned Single Judge was challenged. The impugned order further reflects that the petitioners herein after withdrawing the appeals wanted to pursue the matter with the authorities concerned, in view thereof, the present special leave petitions are not maintainable. However, we make it clear that once the representation is filed that shall be considered by the concerned authorities, in accordance with law.”

3. Given the aforesaid observation made by the Supreme Court and the stand which the petitioners have taken and also the stand which the State Govt. has now taken, this court now finds it difficult to again review its earlier stand which has been taken in WP Nos. 6157/06 and 5997/06 where there was a categorical order dismissing the claim of the petitioners outrightly.

4. Given the aforesaid facts, this Court is inclined to take the same view and for the same reasons as assigned in the order dated 10.08.2015, the present writ petition also deserves to be and is accordingly dismissed.

**Sd/-
(P. Sam Koshy)
JUDGE**

Bhola