

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 5609 of 2011**

Bharat Lal Tiwari Aged About 51 Years S/o Devi Prasad Tiwari, Working
As -Teacher / TGT (Sanskrit) Kendriya Vidyalaya (SECL) North
Jhagrakhand Distt. Koriya CG

---- Petitioner

Versus

1. Union Of India, Through Secretary, Department of Human Resource & Development, Shastri Bhawan, New Delhi – 1100001(India)
2. The Commissioner, Kendriya Vidyalaya Sangthan, 18 Santhagat Kshetra Shahidjeet Singh Marg, New Delhi(India)
3. The Assistant Commissioner, Kendriya Vidyalaya, Jabalpur Region, GCF Estate Behind Science College, Jabalpur (MP)
4. The Principal, Kendriya Vidyalaya, S.E.C.L., Jaghrakhand Post -North Jagrakhand, District -Koriya (CG)

---- Respondents

For Petitioner : Mr. Prasun Kumar Bhaduri, Advocate

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

21/10/2019

1. The present writ petition has been filed seeking following reliefs :-

(I) That, the respondent authorities may be directed to release the housing loan of the petitioner which is applied by the petitioner from this provident fund account.

(ii) That, the respondent authorities may be further directed to comply with the orders of the Respondent No.2/Commissioner and allow the entitlement of petitioner for transfer/traveling allowance and allow joining time, as was held entitled by the Respondent No.2/Commissioner.

(iii) That, the respondent authorities be further directed to quash the order (Annex. P-19) of frequent deputation placed by the Respondent No.3/ Assistant Commissioner.

(iv) Any other order/orders, direction/directions or relief (s) thought just and fit in the circumstances of the case, may also kindly be granted to the petitioner.

2. While entertaining the writ petition wayback on 21.09.2011 this Court had stayed the effect and operation of the impugned dated 26.08.2011 Annexure P-9.
3. Perusal of the facts would show that the impugned order was passed as early as on 26.08.2011 the writ petition has been pending all along for almost 9 years with the interim order in favour of the petitioner, By efflux of time, grievance of the petitioner must have got redressed.
4. Given the fact that interim order of stay of the impugned order dated 26.08.2011, is in operation till date, this Court does not intend to interfere with the same and the impugned order is made absolute and it is ordered that respondent shall not act upon the impugned order Annexure P-9 dated 26.08.2011 any further. Reserving the right of the respondent authority to pass an appropriate order on the administrative side in the event administrative exigency now requires.
5. However, so far as other benefits that petitioner has raised in the writ petition in respect of release of housing loan and grant of travelling allowance, this Court reserves right of the petitioner to approach the concerned Central Administrative Tribunal, in case, if the grievance of the petitioner still survives, in the light of Kendriya Vidyalaya subsequently being brought under the purview of the Administrative Tribunal Act.
6. With the aforesaid observations, the writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge