

NAFR

**HIGH COURT OF CHHATTISGARH AT BILASPUR**

**REVP No. 185 of 2019**

1. Lokpal Singh Jogi, S/o Late Tikaram Jogi, Aged About 53 Years, Principal Presently Posted As Block Education Officer, Podiuproda, District : Korba, Chhattisgarh.....(Respondent No. 04)

**---- Applicant**

**Versus**

1. Ashok Kumar Chandrakar, S/o Shri S.P. Chandrakar, Aged About 55 Years, Block Education Officer, Block-Podiuproda, District : Korba, Chhattisgarh (Petitioner)
2. State Of Chhattisgarh Through Avar Secretary, Department Of School Education, Mantralaya, Mahanadi Bhawan Naya Raipur, District : Raipur, Chhattisgarh .....(Respondent No 01)
3. The Director Public Instruction Directorate Chhattisgarh Government Raipur, District : Raipur, Chhattisgarh ..... (Respondent No. 02)
4. The District Education Officer, Korba, District : Korba, Chhattisgarh

**---Respondents**

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| For Applicant        | : | Mr. Vinod Deshmukh, Advocate     |
| For State/ Resp. 2-4 | : | Smt. Sunita Jain, Govt. Advocate |
| For Respondent No. 1 | : | Mr. A.S. Rajput, Advocate        |

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**Hon'ble Shri Justice P. Sam Koshy**

**Order on Board**

**13.11.2019**

1. The present Review Petition has been filed seeking review of the Order dated 30.08.2019 passed in WPS No. 6682 of 2019 by this Court.
2. The applicant herein was the Respondent No. 4 in the said writ petition. The original writ petition i.e., WPS No. 6682 of 2019 was preferred by the petitioner (Respondent No. 1) assailing the transfer

order dated 22.08.2019, whereby the Respondent No. 1 was transferred from the Office of Block Education Officer, Podiuproda, District: Korba to the Government High School-Karranawapara, Tehsil: Pali, District: Korba. This Court while granting interim protection to the Respondent No. 1 directed him to make a representation and the respondent State was directed to consider the representation and this Court also directed the State authorities to consider transferring the Respondent No. 1 at a place befitting his status ie., the petitioner was the Principal of the Higher Secondary School and according to the Respondent No. 1, he could not have been transferred to a High School.

3. The applicant herein has filed review petition on the ground that the interim protection granted by this Court was on 30.08.2019, whereas the applicant has already given his joining on 27.08.2019 itself. The applicant had also given his joining at the substantial place where he is performing his duties as B.E.O. of Podiuproda and this fact was suppressed by the Respondent No. 1 on the date when the interim protection was obtained by him granted by this Court.
4. The State Counsel was directed on the previous date of hearing to resolve the issue, admittedly there was an interim order in favour of the Anil Kumar Chandrakar at the same time, undisputedly the applicant Lokpal Singh Jogi also gave his joining before the interim order was passed as such two persons stand posted at the same place.
5. The State Counsel has filed her reply of the writ petition and along with the reply they have annexed a document dated 08.11.2019,

whereby the original transfer dated 22.08.2019 stands modified; so far as the petitioner Ashok Kumar Chandrakar is concerned, and he has been ordered to be transferred as a Principal of the Higher Secondary School, Chhindpur, Block: Katghora, District: Korba.

6. The State Counsel has also annexed the relieving order dated 08.11.2019 showing that the petitioner namely, Ashok Kumar Chandrakar has been relieved from the said place. The State counsel also drew the attention of the Court to the document Annexure R-3 which shows that the wages of the petitioner during the intervening period has also since been released and deposited in his account. According to the State counsel, the entire dispute thus is now resolved and nothing further remains to be adjudicated upon and the grievance of the petitioner also stands redressed.
7. This fact of the respondent state having subsequently passed an order dated 11.01.2019 pursuant to which the original petitioner Ashok Kumar Chandrakar having been relieved on the same date ie., 08.11.2019 is not disputed by the counsel for the respondents as well as by counsel for the applicant.
8. Given the aforesaid facts and circumstances of the case and also the development that have taken place subsequent to the filing of the review petition, this Court is of the opinion that nothing further remains to be adjudicated upon at this juncture and the grievance of the applicant stands redressed.
9. The Review Petition, accordingly stands disposed-off.

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