

HIGH COURT OF CHHATTISGARH AT BILASPUR**MCC No. 976 of 2019**

Chandrabhushan Singh Tekam S/o Adhar Singh Tekam Aged About 53 Years R/o Bangalipara Gali No.04, Sarkanda, Bilaspur, Chhattisgarh. (Respondent No.6)

---- Applicant

Versus

1. P. S. Bedi S/o Shri N.S. Bedi Aged About 55 Years Occupation Service, Working As Block Education Officer, Bilha, Bilaspur, District Bilaspur, Chhattisgarh. (Petitioner)
2. State Of Chhattisgarh Through Secretary School Education Department Of, Mantralaya Mahanadi Bhawan, New Raipur, District Raipur, Chhattisgarh. (Respondents No. 1)
3. Director Directorate Of Public Instruction Raipur, Chhattisgarh. (Respondents No.2)
4. Joint Director School Education Bilaspur, Division Bilaspur, District Bilaspur, Chhattisgarh
5. Collector Bilaspur, Police Station Civil Lines, Tahsil And District Bilaspur, Chhattisgarh.
6. District Education Officer Bilaspur, Tahsil And District Bilaspur, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Anukul Biswas, Advocate
For State	:	Mr. P. Acharya, PL

Hon'ble Shri Justice P. Sam Koshy

Order on Board

11/11/2019

1. The present MCC has been filed seeking recalling of the order dated 05.09.2019 passed in WPS No. 6888/19.
2. Counsel for the petitioner submits that it is a case where order dated 05.09.2019 was passed suppressing the facts that the petitioner had already given his joining at the transferred place. There was no occasion for interim protection which could be granted to the petitioner therein.

3. This Court at this juncture would only hold that MCC seeking recalling of an order may not be maintainable for the reason that writ petition itself stood disposed of directing the State Authorities to take a decision on the representation made by the petitioners in two writ petitions and that representations was to be decided within 45 days and interim protection was granted only so far as petitioners in those writ petitions are concerned. In any case, there was no order passed against the applicant in the order dated 28.08.2019 and applicant already assumed his duties as per the transfer order, the applicant as such should not have any grievance.
4. Reserving the right of the applicant to initiate appropriate proceedings in respect of any of his individual grievance which still survives, the present MCC stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

Rohit