

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPCR No. 1082 of 2019

Anil Kumar Singh, S/o Shri Ganga Vishnu Singh, Aged About 38 Years, Presently Posted As Assistant Teacher (L.B.), At Government Primary School, Basorpara, Surajpur, Chhattisgarh, R/o Village Namnakula, Tahsil And Block Ambikapur, District Sarguja Chhattisgarh.

---- Petitioner

Versus

State Of Chhattisgarh Through The Station House Officer, Police Station Surajpur, District Surajpur Chhattisgarh.

---- Respondent

WPCR No. 1084 of 2019

Anil Kumar Tiwari, S/o Gupteshwar Tiwari, Aged About 47 Years, Presently Posted As Assistant Teacher (L.B.), At Government Primary School, Boys Ashram Ketka, District Surajpur Chhattisgarh. R/o Mishra Gali, Bhaiyathan Road, Surajpur, District Surajpur Chhattisgarh.

---- Petitioner

Versus

State Of Chhattisgarh Through The Station House Officer, Police Station Surajpur, District Surajpur Chhattisgarh.

---- Respondent

WPCR No. 1085 of 2019

Samay Lal Singh, S/o Shri Sonsay, Aged About 35 Years, Presently Posted As Assistant Teacher (Lb), At Government Primary School, Biharpur, Surajpur, Chhattisgarh, R/o Village Tulsi, PO Latori, Tahsil And Block Surajpur, District- Surajpur, Chhattisgarh

---- Petitioner

Versus

State Of Chhattisgarh Through The Station House Officer, Police Station Surajpur, District- Surajpur, Chhattisgarh.

---- Respondent

WPCR No. 1086 of 2019

Nageshwar Singh, S/o Shri Nohar Say, Aged About 32 Years, Presently Posted As Assistant Teacher (L B), At Government Primary School, Nawapara, Surajpur, Chhattisgarh. R/o Village Chhatarpur, Post Office Kalyanpur, District Surajpur, Chhattisgarh

---- Petitioner

Versus

State Of Chhattisgarh Through The Station House Officer, Police Station Surajpur, District Surajpur, Chhattisgarh.

---- Respondent

WPCR No. 1087 of 2019

Ram Rahis Shukla, S/o Hira Lal Shukla, Aged About 49 Years, Presently Posted As Assistant Teacher (Lb),at Government Middle School (Tribal Welfare), Jai Nagar, Surajpur Chhattisgarh R/o Village Jai Nagar, Po And Ps Jai Nagar, District Surajpur Chhattisgarh.

---- Petitioner

Versus

State Of Chhattisgarh Through The Station House Officer, Police Station Surajpur, District Surajpur Chhattisgarh

---- Respondent

WPCR No. 1090 of 2019

Ranjit Ram, S/o Late Jagar Sai, Aged About 50 Years, Presently Posted As Assistant Teacher (L B), At Government Primary School, Koltapara (Kalyanpur), Surajpur, (C.G.) R/o Village Haripur (Amapara), Post Office Kalyanpur, Police Station Pratappur, Tahsil And Block Surajpur District Surajpur Chhattisgarh.

---- Petitioner

Versus

State Of Chhattisgarh Through The Station House Officer, Police Station Surajpur, District Surajpur Chhattisgarh.

---- Respondent

WPCR No. 1091 of 2019

Christ Prafull Lakra, S/o Late Shri C.K. Lakra, Aged About 37 Years,
Presently Posted As Assistant Teacher (Lb), At Government (Tribal
Welfare) Middle School, Bojha, Surajpur, (Chhattisgarh) R/o Village
Ajirma, Tahsil And Block Pratappur, District Surajpur Chhattisgarh

---- **Petitioner**

Versus

State Of Chhattisgarh Through The Station House Officer, Police
Station Surajpur, District Surajpur Chhattisgarh

---- **Respondent**

WPCR No. 1092 of 2019

Sumitra Bhani, W/o Shri Rameshwar Pando, Aged About 32 Years,
Presently Posted As Assistant teacher (L.B.), At Government Primary
School, Pahadgaon, Surajpur Chhattisgarh, R/o Village Badhni
Jhariya, PO Raghavpuri, Tahsil And Block Ambikapur, District Sarguja
Chhattisgarh.

---- **Petitioner**

Versus

State Of Chhattisgarh Through The Station House Officer, Police
Station Surajpur District Surajpur Chhattisgarh

---- **Respondent**

WPCR No. 1093 of 2019

Tarkeshwar Singh, S/o Shri Ashish Singh, Aged About 32 Years,
Presently Posted As Assistant Teacher (Lb), At Govenment Primary
School Jurnipara, Surajpur, Chhattisgarh.,R/o Village Akhora Khurd
Tahsil & Block Rajpur District Balrampur, C.G.

---- **Petitioner**

Versus

State Of Chhattisgarh Through The Station House Officer, Police
Station Surajpur, Chhattisgarh.

---- **Respondent**

For Petitioners	:	Mr. Ishan Sharma, Advocate
For State	:	Mr. H.S. Ahluwalia, Deputy Advocate General

Hon'ble Shri Justice Sanjay K. Agrawal
Order on Board

21/10/2019

1. These writ petitions have been preferred by the petitioners stating *inter alia* that their names have not been mentioned amongst the 99 'Shikshakarmis' against whom FIR No. 263/15 dated 08/07/2015 has been lodged by CEO Janpad Panchayat Surajpur at Police Station, Surajpur, yet their service books have been seized by the Station House Officer and are not being released.
2. Mr. Ishan Verma, learned counsel for the petitioners would submit that as petitioners' service books are seized, they are suffering and the benefit of increment along with other benefits are not extended to them, therefore, appropriate direction be issued for releasing their service books.
3. Mr. H.S. Ahluwalia, learned Deputy Advocate General for the State, on instructions, would submit that if the competent officer or the concerned department moves an application for release of petitioners' service books, if not required for further probe, the service books will be released by the Station House Officer.
4. I have heard learned counsel for the parties, considered their submissions and perused the records.
5. Taking into consideration the submission made by learned counsel for the petitioners that neither the petitioners are accused persons nor their names have been mentioned anywhere in the FIR in question, as stated at the Bar, Block Education Officer, Surajpur may move an application for release of service books of the petitioners to the Superintendent of Police, Surajpur within three weeks from the date of receipt of a copy of this order and that application will be considered and decided by the Superintendent of Police, Surajpur

within further two weeks and if petitioners' service books / necessary records are not necessary for investigation of the said offence, they shall be released to the competent officer / concerned department of the Block Education Department. The service books will be kept in custody of the Block Education Officer, Surajpur for production as and when necessary and they will not be destroyed / changed without the leave of the District Magistrate, Surajpur, however, necessary entry with regard to the increments, etc. shall be made by the competent officer / concerned department and if required, services books will be produced before the competent authority/Court.

6. With the aforesaid directions, these writ petitions stand disposed of.
No order as to cost(s).
7. A copy of this order be sent to the Block Education Officer, Surajpur by e-mail/fax for needful and compliance.

**Sd/-
(Sanjay K. Agrawal)
Judge**

Harneet