

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No.10114 of 2019

- Ramavtar Mishra S/o Late Shri Ram Jiyawan Mishra, Aged about 63 Years, Retired Lecturer (Hindi) At Government Higher Secondary School, Budar Block – Baikunthpur, District – Korea (C.G.)

---- Petitioner

Versus

1. State of Chhattisgarh, Through – The Secretary, School Education Department, Mahanadi Bhawan, Mantralaya, Alat Nagar, New Raipur, District – Raipur (C.G.)
2. The Director Public Instruction, Chhattisgarh Raipur, District – Raipur (C.G.)
3. District Education Officer, Baikunthpur, District- Korea (C.G.)
4. Block Education Officer, Block Baikunthpur, District – Korea (C.G.)

---- Respondents

For Petitioner : Mr. A.S. Rajput, Advocate

For Respondent/State : Mr. Ravish Verma, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

12/12/2019

1. Heard.
2. Learned counsel for the petitioner would submit that the issue involved in the present writ petition has already been considered and decided by this Court in WPS No.6257 of 2009, therefore, the same order may be passed in the present writ petition also.
3. This Court in WPS No.6257 of 2009 on 04.11.2009 has passed the following order:-

“2) Learned counsel appearing for the petitioners submits that the petitioners do not want to press this petition on merits at this stage. However, learned counsel submits that the case is squarely covered by order dated 24-8-1992 passed by the Madhya Pradesh State Administrative Tribunal, Jabalpur in

O.A. No. 2745/1989 (Madhukant Yadu and 50 others Vs. State of M.P. and Others). The said order passed by the Tribunal has been taken to the Supreme Court and the Supreme Court was pleased to confirm the order passed by the Tribunal by order dated 3-1-1994 in S.L.P. (C) No. 6892/93. Shri Rajput submits that the petitioners have made representation before the respondent authorities, but the same has not been considered and decided till date.

3) Shri Roy, learned Panel Lawyer for the State submits that the pending representation of the petitioners shall be considered and decided by the concerned authority, in accordance with law, on its own merits, within a period of six weeks from the date of receipt of a copy of this order.

4) In view of foregoing, according to learned counsel for the petitioners nothing survives in the matter. Accordingly, the petition stands disposed of. However, this order shall be subject to verification of facts averred in the petition. ”

4. Learned State counsel has no objection.
5. It is ordered accordingly. The ratio laid down in the case supra shall also govern the cause of lis in this case and will have the same effect and operation.
6. With such observation, the writ petition stands disposed of.

Sd/-

Goutam Bhaduri
Judge