

**HIGH COURT OF CHHATTISGARH AT BILASPUR****WPS No. 2234 of 2020**

Manish Kumar Meshram, S/o. Late Maniram Meshram, Aged About 39 Years, R/o. Bakhtawar Chal Gali No. 09, Tulsipur, Rajnandgaon, District Rajnandgaon, Chhattisgarh

**---- Petitioner****Versus**

1. State Of Chhattisgarh, Through Its Secretary, Ministry Of Home And Jail Department, Mahanadi Bhawan, Nawa Raipur, Chhattisgarh
2. Inspector General Of Police, Jail And Rehabilitation Services, Jail Headquarter Chhattisgarh, District- Raipur, Chhattisgarh
3. Shri S.L. Netam, Jail Superintendent, District Jail Rajnandgaon, Chhattisgarh.

**---- Respondents**


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For Petitioners : Mr. Love Kumar Ramteke, Advocate

For State : Mr. Alok Bakshi, Addl. A.G.

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**Hon'ble Shri Justice Goutam Bhaduri****ORDER****08.06.2020**

Heard.

1. The petitioner contends that to attend the Jail Reform Office at Raipur, the petitioner was commuting from Rajnandgaon to Raipur during normal period pre pandemic lock-down. Subsequently, pursuant to the subsequent direction dated 23.03.2020 (Annexure P-2) issued by Additional Director General Jail, petitioner gave his joining at District Jail Rajnandgaon and was performing his duties. Thereafter since petitioner has already joined, he could not have been relieved by the Deputy Jail Superintendent Rajnandgaon by the impugned order dated 27.05.2020 (Annexure P-1), which is under challenge. It is stated the Deputy Jail Superintendent do not have the authority to issue such direction over & above the Additional Director General Jail.
2. Learned State counsel refers to the communication dated 14.05.2020 (Annexure P-5) which purports that the Government Offices have

commenced from 04.05.2020. Therefore, pursuant thereto since the Government Offices have commenced from 04.05.2020, the petitioner was expected to join where he was posted i.e. Headquarter Jail Reform at Raipur. Having not joined, the explanation was called for. In pursuant thereto, a letter dated 27.05.2020 has been issued whereby the petitioner has been relieved from District Jail Rajnandgaon wherein he had joined after the initial direction was given on 23.03.2020.

3. It appears that after the lock-down was ordered on 23.03.2020, since the petitioner was commuting from Rajnandgaon to Raipur, he joined at District Jail Rajnandgaon as traveling was stopped. Subsequently, as per Annexure P-5 dated 14.05.2020 since the Government Offices re-opened, pursuant thereto the petitioner was expected to join at Head Office Jail Reforms, the actual place of posting of petitioner, which is situated at Raipur. Having not joined, eventually the petitioner was relieved by Annexure P-1 by the Deputy Jail Superintendent, Rajnandgaon. As appears by reading of Annexure P-5, the Government Offices already stands open and specific directions have been given to the employees to join particular offices wherein they are posted, which was existing pre-lockdown. In these circumstances, it cannot be stated that the relieving order suffers with any illegality. The petitioner since is posted at Jail Reforms Head Office at Raipur, he cannot be allowed to continue at his wish and will at District Jail Rajnandgaon after directions have been issued by State too. The temporary arrangement, if any, since have been amended by the State, no claim can be projected by an employee on the basis of post lock-down arrangements which was for the time being enforce and was temporary in nature.
4. In view of the above, the petition has no merit and accordingly it is dismissed.

Sd/-  
Goutam Bhaduri  
**Judge**