THE HIGH COURT OF MADHYA PRADESH

W.P. No. 18628 / 2020

(Jeetendra Kumar Dehariya *vs.* State of Madhya Pradesh and another)

Jabalpur, Dated: 21.12.2020

Heard through Video Conferencing.

Mr. Harish Shukla, Advocate for the petitioner.

Mr. Swapnil Ganguly, Deputy Advocate General, for the State/respondents.

The petitioner by way of the present petition seeks quashment of orders-dated 17.12.2019 – Annexure P/2 and 30.06.2020 – Annexure P/5. The order-dated 17.12.2019 in turn was issued in pursuance to order-dated 26.09.2017 passed in Writ Petition No. 9368/2016, confining continuation of existing guest faculty. Accordingly, the fresh entrants are not being offered the post of guest faculty, whereas the order-dated 30.06.2020 is in furtherance and consonance of order-dated 17.12.2019.

These two orders were subject matter of challenge in Writ Petition No. 18148/2020, wherein the validity has been upheld by taking into consideration that the impugned notification is in furtherance to the directions dated 26.09.2017 passed in Writ Petition No. 9368/2016, wherein it was ordered:-

> "(1) The 84 candidates who have not applied and the 264 candidates who have not been selected, and were working in the last academic session 2016- 2017, will be allowed to rejoin the place of posting and the State will permit them to continue in the current academic session.

(2) The writ petitioners, who were not working in the academic session 2016-2017 if have been granted ad-interim order regarding their services, such interim orders shall stand vacated.

(3) The State will be at liberty to fill up the vacant vacancies, if any, out of the candidates in the merit list in accordance with law.

(4) All matters which are pending before Indore and Gwalior Benches or before learned Single Bench of this Court are ordered to be transferred to the Principal Bench for hearing alongwith the present writ petition. The pending matters at Jabalpur, Gwalior and Indore are filed herewith as Annexure A, Annexure B and Annexure C respectively.

(5) The Benches at Indore and Gwalior shall transfer all cases filed hereinafter to this Court for hearing.

(6) If any individual petitioner has any grievance, liberty is given to apply for clarification or modification of the order, as the case may be."

Since the validity has already been upheld in Writ Petition No. 18148/2020, the present petition seeking quashment thereof cannot be acceded to.

Consequently, the petition is **dismissed** in same terms. No costs.

(SANJAY YADAV)
ACTING CHIEF JUSTICE

(VIJAY KUMAR SHUKLA)
JUDGE

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