

HIGH COURT OF CHHATTISGARH, BILASPUR

CONT No. 340 of 2021

1. Smt. Archana Kashyap W/o Shri Krishna Prasad Kashyap, Aged About 39 Years Presently Posted And Working As Guest Teacher, PGT (Social Science) In Eklavya Joint Residential Higher Secondary School, Campus- Poudidih, Block- Khadgawan, District- Korea, Chhattisgarh
2. Ku. Shakuntala Das, D/o Shri Ghasi Das, Aged About 36 Years Presently Posted And Working As Guest Teacher, PGT (English) In Eklavya Joint Residential Higher Secondary School, Campus- Poudidih, Block- Khadgawan, District-Korea Chhattisgarh

---- Petitioners

Versus

- Dr. Lalit Shukla Assistant Commissioner, Department Of Tribal Welfare Development, Korea, District- Korea, Chhattisgarh

---- Respondents

For Petitioners : Shri Aman Upadhyay, Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

06.04.2021

Heard

1. This court by order dated 12.10.2020 in WPS NO. 4041 has passed the following orders:

'7. This Court, under the given circumstances, is inclined to accept the same analogy in the case of the petitioners also and accordingly it is ordered that unless there is any complaint received against the performance of the petitioners, the respondents are restrained from going in for any fresh recruitment of a Guest Teacher for the said

subject under the respondent No.5- against which the petitioners were engaged.

8. It is however made clear that the protection to the petitioners would be only to the extent of not being replaced by another set of Guest Teachers. This would not preclude the State Government from going in for filling up of the post by way of a regular appointment or by way of engaging contractual teachers under the rules for contractual employment. The remuneration of the guest teachers shall be guided by the fresh set of payment which may be decided by the State as there cannot be two sets of payments for the same post.

9. With the aforesaid observations, the present writ petition stands disposed off.'

2. Learned counsel for the petitioners submits that the petitioners are not being allowed to join the school though the classes have been started. The order of this Court passed on 12.10.2020 in WPS No. 4041 of 2020 purports that the petitioners may not be replaced by another set of Guest Teachers.
3. Query having been made whether the petitioners have been replaced by another set of Guest Teachers, it is contended that another set of Guest Teachers have not been appointed. Since the order is only to the extent that the petitioners may not be replaced by another set of Guest Teachers and another set of Guest Teachers are not appointed, therefore, contempt of order dated 12.10.2020 is not made out.
4. Accordingly, the contempt petition sans merit is liable to be and is hereby dismissed.

Sd/-
(Goutam Bhaduri)
Judge