

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 5445 of 2021**

1. Smt. Anita Ekka W/o Shri Shivcharan, Aged About 33 Years Presently Working As Cook At 100 Seater Girls Hostel, Batauli, District Surguja, Chhattisgarh
2. Ku. Manisha Yadav D/o Shri Shivnath, Aged About 27 Years Presently Working As Cook At 100 Seater Girls Hostel Batauli, District Surguja, Chhattisgarh
3. Smt. Sihasini W/o Shri Vimlesh, Aged About 27 Years Presently Working As Cook At 100 Seater Girls Hostel Lundra, District Surguja, Chhattisgarh
4. Smt. Phulwati W/o Shri Pramod Rabi, Aged About 28 Years Presently Working As Cook At 100 Seater Girls Hostel Lundra, District Surguja, Chhattisgarh
5. Smt. Silmaniya D/o Shri Mahipal Ram, Aged About 42 Years Presently Working As Cook At 100 Seater Girls Hostel Lundra, District Surguja, Chhattisgarh
6. Smt. Phuleshwari W/o Shri Ishwar Rajwade Aged About 30 Years Presently Working As Cook At 100 Seater Girls Hostel Sargawan (Ambikapur), District Surguja, Chhattisgarh
7. Smt. Anupa D/o Shri Ramvilap, Aged About 33 Years, Presently Working As Cook At 100 Seater Girls Hostel Sargawan (Ambikapur), District Surguja, Chhattisgarh
8. Smt. Meena D/o Late Sukh Say, Aged About 30 Years, Presently Working As Cook At 100 Seater Girls Hostel Rajpurikala, Lakhanpur, District Surguja, Chhattisgarh
9. Smt. Sunita D/o Shri Ghuran, Aged About 30 Years, Presently Working As Cook At 100 Seater Girls Hostel Udaypur, District Surguja, Chhattisgarh
10. Smt. Sanbasiya D/o Late Ramdewas, Aged About 31 Years Presently Working As Cook At 100 Seater Girls Hostel Sitapur,

District Surguja, Chhattisgarh

- 11.** Smt. Bimla W/o Shri Jagarnath, Aged About 39 Years, Presently Working As Cook At 100 Seater Girls Hostel Sitapur, District Surguja, Chhattisgarh
- 12.** Smt. Geeta Paikra D/o Shri Baleshwar Singh, Aged About 45 Years, Presently Working As Cook At 100 Seater Girls Hostel Sitapur, District Surguja, Chhattisgarh
- 13.** Smt. Sitamuni W/o Shri Mim Toppo, Aged About 38 Years Presently Working As Cook At 100 Seater Girls Hostel Narmadanagar (Mainpat), District Surguja, Chhattisgarh

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Versus

- 1.** State Of Chhattisgarh Through The Secretary, School Education Department, Mantralaya, Mahanadi Bhawan, Nava Raipur, Atal Nagar, District Raipur, Chhattisgarh
- 2.** Commissioner, Director Public Instructions, Indrawati Bhawan, Nava Raipur, Atal Nagar, District Raipur, Chhattisgarh
- 3.** Mission Director, Samagra Shiksha, Raipur, District Raipur, Chhattisgarh
- 4.** Collector-Cum-District Mission Director, Samagra Shiksha, Ambikapur, District Surguja, Chhattisgarh
- 5.** District Education Officer-Cum-District Project Officer (SS) Ambikapur, District Surguja, Chhattisgarh
- 6.** Hostel Superintendent, Kasturba Gandhi Girls Hostel, Batauli, District Surguja, Chhattisgarh
- 7.** Hostel Superintendent, Kasturba Gandhi Girls Hostel, Lundra, District Surguja, Chhattisgarh
- 8.** Hostel Superintendent, Kasturba Gandhi Girls Hostel, Sargawan, District Surguja, Chhattisgarh
- 9.** Hostel Superintendent, Kasturba Gandhi Girls Hostel, Rajpurikala, District Surguja, Chhattisgarh

10. Hostel Superintendent, Kasturba Gandhi Girls Hostel, Udaypur, District Surguja, Chhattisgarh
11. Hostel Superintendent, Kasturba Gandhi Girls Hostel, Sitapur, District Surguja, Chhattisgarh
12. Hostel Superintendent, Kasturba Gandhi Girls Hostel, Narmadapur (Mainpat), District Surguja, Chhattisgarh

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For Petitioners	:	Mr. C. Jayant K. Rao, Advocate
For State	:	Ms. Akanksha Jain, Dy. Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy

Order On Board

05.10.2021

1. The grievance of the petitioners in the present writ petition is the chances of running of employment, which they have been performing for the last about 16 years.
2. According to the counsel for petitioners, they have all approached the respondents 3 & 4 making a request for being suitably accommodated in any other hostel nearby, so that the petitioners employment can be protected. The petitioners pray for an appropriate direction to the respondents 3 & 4 for taking a decision in this regard.
3. The limited prayer is not opposed by the State counsel, however, the State counsel submits that the decision has to be taken into consideration on the availability of work, availability of finance/fund and also the administrative exigency as and when arises.
4. Given the aforesaid submission by the counsel for the parties, the writ petition at this juncture stands disposed of directing the respondents

3 & 4 to take an appropriate decision in accordance with Rules governing the field and also taking into consideration the experience that the petitioners have and also keeping in mind the availability of work. While taking a decision, the respondents 3 & 4 may also keep in mind the circular of the Department dated 01.09.2021.

5. With the aforesaid observations, the present writ petition stands disposed of.

**Sd/-
(P. Sam Koshy)
Judge**