

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No.5989 of 2021**

Poornanand, S/o Khorbahara, aged about 29 years, Working as Guest Faculty (Mathematics) at Govt. J.P. Verma P.G. Arts and Commerce College, Bilaspur, District Bilaspur (C.G.)

---- Petitioner

Versus

1. State of Chhattisgarh, through the Secretary, Department of Higher Education, Mahanadi Bhawan, Mantralaya, Naya Raipur, District Raipur (C.G.)
2. Additional Director, Directorate of Higher Education Department, Atal Nagar, Naya Raipur, District Raipur (C.G.)
3. Principal, Govt. J.P. Verma P.G. Arts and Commerce College, Bilaspur, District Bilaspur (C.G.)

---- Respondents

Writ Petition (S) No.5990 of 2021

Chandrakant Bhoi, S/o Mahendra Bhoi, aged about 28 years, Working as Guest Faculty (Geography) at Late Raja Virendra Bahadur Singh Govt. College, Saraipali, District Mahasamund (C.G.)

---- Petitioner

Versus

1. State of Chhattisgarh, through the Secretary, Department of Higher Education, Mahanadi Bhawan, Mantralaya, Naya Raipur, District Raipur (C.G.)
2. Additional Director, Directorate of Higher Education Department, Atal Nagar, Naya Raipur, District Raipur (C.G.)
3. Principal, Late Raja Virendra Bahadur Singh Govt. College, Saraipali, District Mahasamund (C.G.)

---- Respondents

Writ Petition (S) No.5993 of 2021

1. Leela Pradhan, D/o Sudama Pradhan, aged about 25 years, Working as Guest Faculty (Mathematics) at Govt. Bilasa Girls P.G. College, Bilaspur, District Bilaspur (C.G.)
2. Rajendr Kumar, S/o Gopi Ram, aged about 27 years, Working as Guest Faculty (Zoology) at Govt. Bilasa Girls P.G. College, Bilaspur, District Bilaspur (C.G.)

---- Petitioners

Versus

1. State of Chhattisgarh, through the Secretary, Department of Higher Education, Mahanadi Bhawan, Mantralaya, Naya Raipur, District Raipur (C.G.)
2. Additional Director, Directorate of Higher Education Department, Atal Nagar, New Raipur, District Raipur (C.G.)
3. Principal, Govt. Bilasa Girls P.G. College, Bilaspur, District Bilaspur (C.G.)

---- Respondents

Writ Petition (S) No.6002 of 2021

Teras Ram Dinkar, S/o Budharu Ram Dinkar, aged about 29 years, Working as Assistant Professor (Botany) (Self Finance) at Govt. Gramya Bharti College, Hardi Bazar, District Korba (C.G.)

---- Petitioner

Versus

1. State of Chhattisgarh, through the Secretary, Department of Higher Education, Mahanadi Bhawan, Mantralaya, Naya Raipur, District Raipur (C.G.)
2. Additional Director, Directorate of Higher Education Department, Atal Nagar, Naya Raipur, District Raipur (C.G.)
3. Principal, Govt. Gramya Bharti College, Hardi Bazar, District Korba (C.G.)

---- Respondents

Writ Petition (S) No.6014 of 2021

Raj Kishor, S/o Dhawjaram Patel, aged about 26 years, Working as Guest Faculty (Mathematics) at Govt. Jajwlyadev Naveen Girls College, Janjgir, District Janjgir-Champa (C.G.)

---- Petitioner

Versus

1. State of Chhattisgarh, through the Secretary, Department of Higher Education, Mahanadi Bhawan, Mantralaya, Naya Raipur, District Raipur (C.G.)
2. Additional Director, Directorate of Higher Education Department, Atal Nagar, Naya Raipur, District Raipur (C.G.)
3. Principal, Govt. Jajwlyadev Naveen Girls College, Janjgir, District Janjgir-Champa (C.G.)

---- Respondents

Writ Petition (S) No.6020 of 2021

Rumki Saha, D/o K.L. Saha, aged about 25 years, Working as

Guest Faculty (Commerce) at Govt. Naveen College, Kelhari,
District Korla (C.G.)

---- Petitioner

Versus

1. State of Chhattisgarh, through the Secretary, Department of Higher Education, Mahanadi Bhawan, Mantralaya, Naya Raipur, District Raipur (C.G.)
2. Additional Director, Directorate of Higher Education Department, Atal Nagar, Naya Raipur, District Raipur (C.G.)
3. Principal, Govt. Naveen College, Kelhari, District Korla (C.G.)

---- Respondents

Writ Petition (S) No.6021 of 2021

Ravindra Kumar, S/o Pramod Singh Paikra, aged about 25 years, Working as Guest Faculty (Physics) at Govt. College, Bhaisma, District Korba (C.G.)

---- Petitioner

Versus

1. State of Chhattisgarh, through the Secretary, Department of Higher Education, Mahanadi Bhawan, Mantralaya, Naya Raipur, District Raipur (C.G.)
2. Additional Director, Directorate of Higher Education Department, Atal Nagar, Naya Raipur, District Raipur (C.G.)
3. Principal, Govt. College, Bhaisma, District Korba (C.G.)

---- Respondents

Writ Petition (S) No.6025 of 2021

Ku. Kiran Gondi, D/o Beera Ram, aged about 26 years, Working as Government Indrawati College, Bhopalpattanam, District Bijapur (C.G.)

---- Petitioner

Versus

1. State of Chhattisgarh, through the Secretary, Department of Higher Education, Mahanadi Bhawan, Mantralaya, Naya Raipur, District Raipur (C.G.)
2. Additional Director, Directorate of Higher Education Department, Atal Nagar, Raipur, District Raipur (C.G.)
3. Principal, Government Indrawati College, Bhopalpattanam, District Bijapur (C.G.)

---- Respondents

AND

Writ Petition (S) No.6030 of 2021

Chandra Vijay Jatwer, S/o Darshan Singh Jatwer, aged about 27 years, Working as Guest Faculty (Chemistry) at Govt. College, Hasoud, District Janjgir-Champa (C.G.)

---- Petitioner

Versus

- 1. State of Chhattisgarh, through the Secretary, Department of Higher Education, Mahanadi Bhawan, Mantralaya, Naya Raipur, District Raipur (C.G.)**
 - 2. Additional Director, Directorate of Higher Education Department, Atal Nagar, Naya Raipur, District Raipur (C.G.)**
 - 3. Principal, Govt. College, Hasoud, District Janjgir-Champa (C.G.)**
- Respondents

For Petitioners: Mr. Govind Prasad Dewangan and Mr. C.P. Lahrey, Advocates.

For Respondents / State: -

Mr. K.K. Singh, Mr. Ghanshyam Patel, Government Advocates and Mr. Avinash Singh, Panel Lawyer, on advance copy.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

27/10/2021

- 1. Since common question of law and fact is involved in this batch of writ petitions, they have been clubbed together, heard together and are being disposed of by this common order.**
- 2. By this batch of writ petitions, the petitioners, who are working as Guest Lecturers in respective Government colleges, are principally praying for a direction to the respondents to allow them to perform their duties till the selection of regular lecturer / teacher.**
- 3. At the outset, learned counsel appearing for the petitioners would submit that the issue involved in these writ petitions is**

covered by the decision rendered by this Court in the matter of **Smt. Suchita Tiwari v. State of Chhattisgarh and others**¹ in which relying upon the earlier decision of this Court in the matter of **Manju Gupta and others v. State of Chhattisgarh and others**² appropriate order has been passed.

4. I have heard learned counsel for the petitioners on the question of admission.

5. In **Smt. Suchita Tiwari** (supra), it has been observed as under: -

“7. This Court, under the given circumstances, is inclined to accept the same analogy in the case of the petitioner also and accordingly it is ordered that unless there is any complaint received against the performance of the petitioner, the respondents are restrained from going in for any fresh recruitment of a Guest Lecturer for the said subject under the respondent No.3-college against which the petitioner was engaged.

8. It is however made clear that the protection to the petitioner would be only to the extent of not being replaced by another set of Guest Lecturers. 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.

9. So far as the claim of remuneration as per the guidelines of the UGC is concerned, it would be open for the petitioner to make a suitable representation before the respondent No.1 in this regard, who in turn would take a policy decision, so far as the remuneration part payable to the Guest Lecturers, keeping in view of the guidelines, that have been laid down by the UGC.”

6. Since the coordinate Bench had already disposed of the identical writ petition in **Smt. Suchita Tiwari** (supra), these writ petitions are also being disposed of in terms of the decision

1 W.P.(S)No.5136/2020, decided on 18-1-2021

2 W.P.(S)No.4406/2016, decided on 27-2-2017

rendered in **Smt. Suchita Tiwari** (supra). The writ petitions are accordingly stand finally disposed off. No order as to cost(s).

Sd/-
(Sanjay K. Agrawal)
Judge

Soma