

THE HIGH COURT OF MADHYA PRADESH

W.P. No.13997/2018

(Arvind Gupta vs. State of M.P. & others)

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W.P. No.14006/2018

(Girish Kumar Mishra vs. State of M.P. & others)

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W.P. No.14057/2018

(S.K. Tripathi vs. State of M.P. & others)

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W.P. No.14726/2018

(Mukesh Kumar Verma vs. State of M.P. & others)

Jabalpur

Dated: 14.12.2018

Shri K.C. Ghildiyal, learned counsel for the petitioners.

Shri B.P. Pandey, learned Government Advocate for the respondent/State.

Regard being had to the similitude of the question involved, on the joint request of the parties, the matters are analogously heard and decided by this common order. The facts are taken from W.P. No.13997/2018.

The petitioners, who have been working as Sub-Engineers at Rural Engineering Services, Satna (M.P.) on deputation have assailed the order dated 28.07.2017, whereby their services were repatriated to the parent department.

The singular ground of challenge is that the nature of deputation in the present case is different than the normal transfer on deputation and the petitioners after due selections were appointed as Sub-Engineers on deputation; hence they cannot be repatriated unceremoniously. It is urged that the present petitions are squarely covered by the decision rendered in *W.P. No.13505/2018 (Ram Avtar Singh Vs. State of M.P. &*

others) and other connected petitions, decided on 27.11.2018.

This Court has held as under:

“Resultantly, the impugned order of repatriation is set aside. It is made clear that this order will not come in the way of the respondents to repatriate the petitioners in accordance with law.”

Therefore, prays that the present petitions may be allowed in terms of the said order.

Shri B.P. Pandey, learned Government Advocate fairly concedes to the same.

In the aforesaid facts and circumstances of the case, the impugned order of repatriation dated 28.07.2017 is set aside in the light of the order dated 27.11.2018 passed by the coordinate Bench of this Court in the case of ***Ram Avtar Singh (supra)*** & other connected petitions, and since the impugned order of repatriation has been quashed the respondents shall allow the petitioners to work at their place of deputation.

Accordingly, the present petitions stand ***allowed***.

Certified copy as per rules.

(Subodh Abhyankar)
Judge

sjk

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