

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

WPS No. 2398 of 2022

Kamlesh Panda **Versus** State Of Chhattisgarh

06.04.2022	Mr. Ashutosh Mishra, counsel for the petitioner. Mr. Avinash Singh, PL for the State. Aggrieved by the impugned order Annexure P-1 the present writ petition has been filed. State counsel accepts notice for all the respondents, hence issuance of notice stands dispensed with. Let reply be filed within four weeks. Heard on I.A. No.1, which is an application for grant of interim relief. Let reply be filed on I.A. No. as well. Considering the fact that service of the petitioner at Swami Atmanand English medium School, Gharghoda was made by way of an order of deputation dated 23.10.2021. The order of deputation was issued by the State Government and order of deputation specifically held that service conditions during the probation would be as per the guidelines laid down by the State government vide departmental order dated 25.02.2021. In the order dated 25.02.2021, it has been specifically held that normal tenure of deputation would be for 4 years and the State Government stands vested with the power of increasing the period of deputation and also for reducing the tenure of posting on deputation. The impugned order in the instant case has not been issued by the State Government or at the State level or with the consent of the State Government but has been
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issued by the District Education Officer with the approval of the District Collector.

In view of the same it appears prima facie to be in contravention to the conditions stipulated in the Government's order dated 25.02.2021. Thus prima facie a strong case for grant of interim relief has been made out.

Accordingly, there shall be stay of the effect and operation of the impugned order Annexure P-1 dated 30.03.2022 till the next date of hearing.

Let this matter be listed for hearing after reply of the respondents are received.

Sd/-
(P. Sam Koshy)
JUDGE

Rohit