



HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 6847 of 2024

- 1** - Vinita Sahu D/o Vinod Sahu Aged About 42 Years Posted At Government Engineering College Raipur District Raipur Chhattisgarh
- 2** - Dilip Tamboli S/o Late Devlal Tamboli Aged About 38 Years Posted At Government Engineering College Raipur District Raipur Chhattisgarh
- 3** - Karuna Yadav W/o Ashwini Yadav Aged About 37 Years Posted At Government Engineering College Raipur District Raipur Chhattisgarh
- 4** - Parvin Akhter W/o Faraz Khan Aged About 34 Years Posted At Government Engineering College Raipur District Raipur Chhattisgarh

... Petitioners

versus

- 1** - State Of Chhattisgarh Through Secretary, Department Of Technical Education, Mahanadi Bhawan, Atal Nagar, Mantralaya New Raipur, District Raipur Chhattisgarh
- 2** - Principal At Government Engineering College Raipur, Old Dhamtari Road, Setbahar, Raipur District Raipur Chhattisgarh
- 3** - Hitesh Bardiya Working As Lecturer (Electronics And Telecommunication) And Posted At Government Polytechnic College Khairagarh District Khairagarh-Chhuikhadan Gandai Chhattisgarh
- 4** - Smt. Aakanksha Sahu Working As Lecturer (Electronics And Telecommunication) And Posted At Government Polytechnic College Khairagarh District Khairagarh-Chhuikhadan Gandai Chhattisgarh
- 5** - Smt. Aakanksha Singh Gautam Working As Lecturer (Electronics And Telecommunication) And Posted At Government Girls Polytechnic College Raipur District Raipur Chhattisgarh
- 6** - Smt. Indulata Sahu Working As Lecturer (Electronics And Telecommunication) And Posted At Minimata Government Girls Polytechnic College Rajnandgaon District Rajnandgaon Chhattisgarh

7 - Smt. Nisha Jagwani Working As Lecturer (Electronics And Telecommunication) And Posted At Government Polytechnic College Kanker District Kanker Chhattisgarh

... Respondents

Order Sheet

23/10/2024	Mr. Ajay Shrivastava, Advocate for the petitioners. Mr. Kalpesh Ruparel, Panel Lawyer for the State. Heard. Issue notice to respondents. Mr. Kalpesh Ruparel accepts notice on behalf of respondents No. 1 and 2, hence, no process fee is required to be paid for issuance of notice to respondents No. 1 and 2. On payment of process fee, issue notice to respondents No. 3 to 7 as per rules. Notice be made returnable within three weeks. Also heard on I.A. No. 01 of 2024 which is an application for grant of interim relief / stay. Learned counsel for petitioners submits that respondent No. 1 has issued transfer order, transferring Lecturers posted in Polytechnic College in the Government Engineering College, Raipur. Pursuant to order of transfer, respondent No. 2 has issued an order terminating services

of petitioners as Guest Teachers. He submits that order of transfer issued by respondent No. 1 is in contravention of Rule 6 of Chhattisgarh Technical Education (Technical Cadre-Engineering College) (Gazatted) Service Recruitment Rules, 2014 (hereinafter referred as the "Rules, 2014"). Mode of recruitment is provided under Rule 6 of Rules 2014 and under Rule 6 (c) recruitment can be made by transfer / deputation of persons, however, persons who are to be transferred in the engineering college to teach students of engineering college in capacity of Assistant Professor shall hold same substantive post in colleges from where they are to be transferred. Substantive post of private respondents is Lecturer and therefore, they could not have been transferred in engineering college where post of Lecturer is not sanctioned and first post as a teacher is of Assistant Professor, therefore, order Annexure-P/1 and Annexure-P/2 so far as it relates to petitioners and respondents No. 4 to 7 be stayed.

Learned State counsel submits that he will file reply to the interim application also.

On due consideration of the submission made by learned counsel for respective parties, in particular,

submission based on Rule 6 of Rules of 2014, purely as an interim measure, it is ordered that Annexure P/1 and Annexure P/2 with respect to petitioners and private respondents shall remain stayed, till next date of hearing.

List this case in week commencing 16th of December, 2024.

Sd/-

(Parth Prateem Sahu)
Judge

Shayna