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WRM 50/05

IN THE MADHYA PRADESH ADMINISTRATIVE TRIBUNAL
AT JABALPUR BENCH

O. A. NO. 2096/1991

BETWEEN

Bishal Ram Nisad S/o Daraha Ram Nisad
aged about 50 years occupation Assistant
Teacher , Government Primary School
Vicharpur resident of Vicharpur tahsil Kawardha
district Rajnandgaon .

..... APPLICANT

A N D

The Deputy Director Education
Kawardha .

..... RESPONDENT

DETAILS OF APPLICATION :

HIGH COURT OF CHHATTISGARH AT BILASPUR

SINGLE BENCH : HON'BLE SHRI SATISH K. AGNIHOTRI, J.

WRIT PETITION (S.) NO.450 OF 2005

Petitioner : Bishal Ram Nisad

versus

Respondent : The Deputy Director,
Education, Kawardha

Present : Mr. Ashok Vaishnav, counsel for the petitioner.
Mr. Ajay Dwivedi, Panel Lawyer for the respondent/State.

ORAL ORDER

(Passed on 31st of July, 2006)

The petitioner filed a civil suit being Civil Suit No.20-A/81 against the order dated 9-8-1980 passed by the respondent. The order dated 9-8-1980, according to learned counsel for the petitioner, was the order of relieving of the petitioner on transfer from his place of posting to a new place of posting. However, the same was misunderstood by the petitioner to that of order of removal. Accordingly, the civil suit was filed by the petitioner. The Civil Judge Class II, Dongargarh, by order dated 11-1-1988 (Annexure A-1), directed the respondent to reappoint the petitioner and the relief for grant of other benefits was rejected. In compliance with the said

order dated 11-1-1988, the respondent – authority reinstated the petitioner on service by order dated 24-2-1988 (Annexure A-2). The petitioner has filed the present petition for grant of seniority as well as grant of back wages from 9-8-1980 to 24-2-1988. The order of the Civil Judge is very clear and on the basis of the said order, the petitioner was appointed afresh on 24-2-1988. The benefits including back wages prayed for in the civil suit was rejected and no appeal or revision was preferred against the said order. The order became final and the respondent – authority has complied with the order in its letter and spirit.

2. In view of the above-stated facts, the present petition is frivolous and does not create any right in favour of the petitioner for grant of relief as sought for in this petition.

3. In the result, the petition is dismissed. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge