

WA 669/12
30/3/07
Presented by: Shri S. Jagdev
10/4/07

6

IN THE HIGH COURT OF JUDICATURE AT BILASPUR
(CHHATTISGARH)

WRIT APPEAL NO. 669 / 2007

WRIT APPEAL UNDER SECTION 2(i) OF THE
CHHATTISGARH HIGH COURT (APPEAL TO DIVISION
BENCH) ACT 2006

APPELLANT

(Respondent No. 1)

: State of Chhattisgarh
Through: The Secretary,
Department of School
Education, D.K.S.
Bhawan, Mantralaya,
Raipur (C.G.)

VERSUS

RESPONDENTS

:1. Shivcharan Kashyap
S/o Late Shri Ramratan
Kashyap, aged about 65
years, Retired as
Teacher, Angal
Varnaqular Middle
School Singhanpur
District Mahasamund
(C.G.)

(Respondent No. 2)

2. The Director of Public
Instructions, Directorate,
Pension Bada, Raipur
(C.G.)

(Respondent No. 3)

3. The District Education
Officer, Mahasamund,
(C.G.)

(Respondent No. 4)

4. The Fulghar Shiksha
Committee, Singhanpur
Through Chairman
Singhanpur
Distt. Mahasmund (C.G.)

ARISING OUT OF THE ORDER PASSED IN WRIT
PETITION NO. 3022/2005 BY THE LEARNED SINGLE
JUDGE SHRI S.K. AGNIHOTRI, ON 06/02/2007
ALLOWING THE WRIT PETITION BY A COMMON
ORDER PASSED IN WRIT PETITION NO. 4108/2005



168

HIGH COURT OF CHHATTISGARH AT BILASPUR

D.B.: Hon'ble Mr. Justice Abhay Manohar Sapre &
Hon'ble Mr. Justice G. Minhajuddin

WRIT APPEAL No.88/2007

APPELLANT

State of Chhattisgarh

Versus

RESPONDENT(S)

Smt. A. Lall and others

WRIT APPEAL No.239/2007

APPELLANT

State of Chhattisgarh

Versus

RESPONDENT(S)

A.C. Das and others

WRIT APPEAL PR No.2738/2007

APPELLANT

State of Chhattisgarh

Versus

RESPONDENT(S)

Raghav Ram Rajput and others

WRIT APPEAL PR No.2739/2007

APPELLANT

State of Chhattisgarh

Versus

RESPONDENT(S)

J.K. Bhoi and others

WRIT APPEAL PR No.2740/2007

APPELLANT

State of Chhattisgarh

Versus

RESPONDENT(S)

Anantram and others

WRIT APPEAL PR No.2741/2007

APPELLANT

State of Chhattisgarh

Versus

RESPONDENT(S)

S.N. Sahu and others

WRIT APPEAL PR No.2742/2007

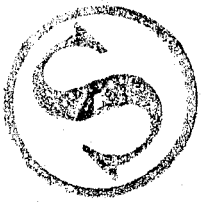
APPELLANT

State of Chhattisgarh

Versus

RESPONDENT(S)

Smt. Uma Sheel and others

**WRIT APPEAL PR No.2743/2007**

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** M.V.M. Satya Narayan and others

WRIT APPEAL PR No.2744/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** K.C. Panda and others

WRIT APPEAL PR No.2745/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** Smt. Sandhya Rani Jena and others

WRIT APPEAL PR No.2746/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** R.S. Pradhan and others

WRIT APPEAL PR No.2747/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** O.P. Choudhary and others

WRIT APPEAL PR No.2748/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** Surendra Bhoi and others

WRIT APPEAL PR No.2749/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** H.K. Patro and others

WRIT APPEAL PR No.2750/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** V.B. Satpathi and others

WRIT APPEAL PR No.2751/2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

P. Meher and others

WRIT APPEAL PR No.2752/2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Gajraj Pradhan and others

WRIT APPEAL PR No.2753/2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Chandra Kiran Masih and others

WRIT APPEAL PR No.2754/2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Smt. Regina Kujur and others

WRIT APPEAL PR No.2755/2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

E.H. Nathaniel and others

WRIT APPEAL PR No.2756/2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Smt. API Kujur and others

WRIT APPEAL PR No.2757/2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Smt. T. Emeelya Hemalata and others

WRIT APPEAL PR No.2758/2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Libnus Xaxa and others

WRIT APPEAL PR No.2759/2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

William Tirkey and others

WRIT APPEAL PR No.2760/2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Rameshwar Prasad Chandrakar and others

WRIT APPEAL PR No.2761/2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Johan Beck and others

WRIT APPEAL PR No.2761/2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Johan Beck and others

WRIT APPEAL PR No.2762/2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Jagdeo Ram

WRIT APPEAL PR No.2763/2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Ram Pratap Tiwari

**WRIT APPEAL PR No.2764/2007****APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Ghanshyam Gupta and others

WRIT APPEAL PR No.2765/2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Remis Bara and others

WRIT APPEAL PR No.2766/2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

I. Minj and others

WRIT APPEAL PR No.2767/2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Vinsent Lakra and others

WRIT APPEAL PR No.2768/2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Jung Bahadur Gurung and others

WRIT APPEAL PR No.2769/2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Philip Tirkey and others

WRIT APPEAL PR No.2770/2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Smt. Joish Larens Singh

WRIT APPEAL PR No.2771/2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Devsharan Pandey and others



173

WRIT APPEAL PR No.2772/2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Smt. D. Francline and others

WRIT APPEAL PR No.2773/2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Smt. Vivian Scott and others

WRIT APPEAL PR No.2774/2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Ku. S. Sona and others

WRIT APPEAL PR No.2786/2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Miss Rukhsana Usmani and others

WRIT APPEAL PR No.2787/2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Ku.S.M. Lal and others

WRIT APPEAL PR No.2793/2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Heliarus Khakha and others

WRIT APPEAL PR No.2794/2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Jemes Ekka and others

WRIT APPEAL PR No.2795/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** B.P. Sahu and others

WRIT APPEAL PR No.2796/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** Radha Govind Tiwari

WRIT APPEAL PR No.2797/2007 (B)

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** Chait Ram Yadav and others

WRIT APPEAL PR No.2798/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** Smt. Prabha Singh Rana

WRIT APPEAL PR No.2799/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** Hiznus Toppo and others

WRIT APPEAL PR No.2800/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** Gregori Tigga and others

WRIT APPEAL PR No.2936/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** Alois Minj

WRIT APPEAL PR No.2938/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** Ku. Dipti Toppo and others

WRIT APPEAL PR No.2939/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** Smt. Y. Sharda and others

WRIT APPEAL PR No.2890/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** Laxmi Prasad Sinha and others

WRIT APPEAL PR No.3069/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** N.K. Dewangan and others

WRIT APPEAL PR No.3071/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** S.K. Sawarkar and others

WRIT APPEAL PR No.3072/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** Sunil Francis and others

WRIT APPEAL PR No.3074/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** Thomas P.C. and others

WRIT APPEAL PR No.3075/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** Ashok Kumar Tigga and others

WRIT APPEAL PR No.3076/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** K.C. Pandey and others

WRIT APPEAL PR No.3080/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** Smt. Kanti Baghel and others

WRIT APPEAL PR No.3081/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** M.D. Sen and others

WRIT APPEAL PR No.3082/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** Hemant Minz

WRIT APPEAL PR No.3084/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** Smt. R.M. Sharma and others

WRIT APPEAL PR No.3085/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** Smt. Prabha Munje and others

(177)

WRIT APPEAL PR No.3086/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** Mohanlal Sharma and others

WRIT APPEAL PR No.3087/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** Birsu Singh Thakur and others

WRIT APPEAL PR No.3089/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** Mahendra Kumar and others

WRIT APPEAL PR No.3090/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** Dilip Kerketta

WRIT APPEAL PR No.3091/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** Shri V.K. Mahewashwari and others

WRIT APPEAL PR No.3092/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** Benjamin Lakra and others

WRIT APPEAL PR No.3093/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** H.K. Deshmukh and others

**WRIT APPEAL PR No.3095/2007**

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** Smt. Pushpa Shrivastava and others

WRIT APPEAL PR No.3131/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** Smt. Maristella Lakra and others

WRIT APPEAL PR No.3133/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** M.R. Kashyap and others

WRIT APPEAL PR No.3134/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** Byatore Kujur and others

WRIT APPEAL PR No.3137/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** Ku. Chonhanti Tirkey and others

WRIT APPEAL PR No.3141/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** Ku. Sangeet Ray and others

WRIT APPEAL PR No.3145/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** T.K. Das and others

**WRIT APPEAL PR No.3146/2007**

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** Ram Khilawan Sarraf and others

WRIT APPEAL PR No.3147/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** R.C. Jain and others

WRIT APPEAL PR No.3150/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** S. Kumar and others

WRIT APPEAL PR No.3152/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** J. Chowdhary and others

WRIT APPEAL PR No.3228/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** D. Raman and others

WRIT APPEAL PR No.3229/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** Joseph Tigga and others

WRIT APPEAL PR No.3231/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** Bhau Rao Bagade and others

WRIT APPEAL PR No.3234/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** Marcus Panna and others

WRIT APPEAL PR No.3235/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** Smt. Qadeer Khan and others

WRIT APPEAL PR No.3236/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** Shri K.S. Thakur and others

WRIT APPEAL PR No.3237/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** Ashok Hazara and others

WRIT APPEAL PR No.3238/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** N.V. Rao and others

WRIT APPEAL PR No.3242/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** Smt. Akhtar Shah and others

WRIT APPEAL PR No.3243/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** Ku. Rehana Shahnaz and others

WRIT APPEAL PR No.3244/2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Ku. Mary Peter Xalxo and others

WRIT APPEAL PR No.2775/2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Linus Toppo and others

WRIT APPEAL PR No.2777/2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Smt. P.S. Pillai and others

WRIT APPEAL PR No.2779/2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Michel Beck and others

WRIT APPEAL PR No.2780/2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Ronald R. Peter and others

WRIT APPEAL PR No.2782/2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Smt. Archana Das and others

WRIT APPEAL PR No.2783/2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Smt. Jasinta Kerketta and others

**WRIT APPEAL PR No.2784/2007**

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** Athnas Bara

WRIT APPEAL PR No.2785/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** Smt. S. Ekka and others

WRIT APPEAL PR No.2791/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** Lalit Kumar Lakra and others

WRIT APPEAL (PR) No. 2797 of 2007 (A)

APPELLANT State of Chhattisgarh
Respondent **Versus** Vinay Kumar Gupta

WRIT APPEAL (PR) No. 2930 of 2007

APPELLANT State of Chhattisgarh
Respondent **Versus** Smt. Munni Singh

WRIT APPEAL (PR) No. 2941 of 2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** Smt. Molly Rugen and others

WRIT APPEAL (PR) No. 2942 of 2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** Venkata Ramana and others

**WRIT APPEAL (PR) No. 2943 of 2007****APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Smt. Kusum Bai and others

WRIT APPEAL (PR) No. 2947 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Smt. M. Ratna Bai and others

WRIT APPEAL (PR) No. 2948 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Anthony Baraik and others

WRIT APPEAL (PR) No. 2949 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

R.K. Lall and others

WRIT APPEAL (PR) No. 2950 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**Smt. Sunanada Rani Dey and
others**WRIT APPEAL (PR) No. 3043 of 2007****APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**Baldev Prasad Swarnkar and
others

WRIT APPEAL (PR) No. 3044 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Kapil Deo Pathak and others

WRIT APPEAL (PR) No. 3045 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Pawal Nag and others

WRIT APPEAL (PR) No. 3046 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Smt. Rita Roy and others

WRIT APPEAL (PR) No. 3047 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Clement Lakara and others

WRIT APPEAL (PR) No. 3049 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Dhirendra Kumar Mishra and others

WRIT APPEAL (PR) No. 3054 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Ishak Tirkey and others

185

WRIT APPEAL (PR) No.3058 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

A. Gradia and others

WRIT APPEAL (PR) No.3065 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Smt. Rikta Paul and others

WRIT APPEAL (PR) No.3083 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

R.K. Tiwari and others

WRIT APPEAL (PR) No. 3088 of 2007**APPELLANT****Versus** State of Chhattisgarh**RESPONDENT(S)**

Vinod Kumar Sharma and others

WRIT APPEAL (PR) No. 3096 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

N.K. Rayzada and others

WRIT APPEAL (PR) No. 3098 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Smt. A.M. Barde and others

WRIT APPEAL (PR) No. 3132 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Deonis Ekka and others

WRIT APPEAL (PR) No.3139 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**Bhaskar Dutta Tiwari and
others**WRIT APPEAL (PR) No. 3140 of 2007****APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

M.C. Sarangi and others

WRIT APPEAL (PR) No. 3148 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Ram Lakhan Mishra and others

WRIT APPEAL (PR) No. 3149 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Sujit Roy and others

WRIT APPEAL (PR) No. 3232 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Anugrah Kujur and others

WRIT APPEAL (PR) No. 3233 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Ruben Tirkey and others

WRIT APPEAL (PR) No. 3239 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Ratnesh Banjamin and others

WRIT APPEAL (PR) No. 3240 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Mohd. Shoaeb Ansari and others

WRIT APPEAL (PR) No. 3241 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Smt. D.S. Laxmi and others

WRIT APPEAL (PR) No. 2801 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Elisius Kujur and others

WRIT APPEAL (PR) No. 2802 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Smt. Jasinta Ekka and others

**WRIT APPEAL (PR) No.2803 of 2007****APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

William Lakara and others

WRIT APPEAL (PR) No. 2804 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Febianus Beck

WRIT APPEAL (PR) No. 2805 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Hinzus Kerketa and others

WRIT APPEAL (PR) No. 2806 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

P.K. Barui and others

WRIT APPEAL (PR) No. 2811 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Amaldas Minz and others

WRIT APPEAL (PR) No. 2815 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Vivek Ranjan Jaiswal

**WRIT APPEAL (PR) No. 2816 of 2007****APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

T.L. Yadu and others

WRIT APPEAL (PR) No. 2817 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

B.L. Chhatrapati and others

WRIT APPEAL (PR) No. 2818 of 2007**APPELLANT**

State of Chhattisgarh

Versus**Respondent**

S.C. Soni

WRIT APPEAL (PR) No. 2819 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

I.G. Goswami and others

WRIT APPEAL (PR) No. 2820 of 2007**APPELLANT**

State of Chhattisgarh

Versus**Respondent**

Refel Toppo

WRIT APPEAL (PR) No. 2821 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**Mahesh Kumar Chandrakar and
others

WRIT APPEAL (PR) No. 2822 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

R.N. Pradhan and others

WRIT APPEAL (PR) No. 2823 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Barnabas Kujur

WRIT APPEAL (PR) No. 2824 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

S.D. Pradhan and others

WRIT APPEAL (PR) No. 2826 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Theophil Kujur and others

WRIT APPEAL (PR) No. 2827 of 2007**APPELLANT**

State of Chhattisgarh

Versus**Respondent**

William Toppo

WRIT APPEAL (PR) No. 2828 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Ruben Kujur and others

WRIT APPEAL (PR) No. 2829 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

V.K. Purohit and others

WRIT APPEAL (PR) No. 2830 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

K.S. Pradhan and others

WRIT APPEAL (PR) No. 2831 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Michail Ekka & others

WRIT APPEAL (PR) No. 2832 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Jog Singh and others

WRIT APPEAL (PR) No. 2833 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

William Toppo

WRIT APPEAL (PR) No. 2834 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Ashok Singh and others

WRIT APPEAL (PR) No. 2835 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Ku. Vijay Ekka and others

WRIT APPEAL (PR) No. 2836 of 2007**APPELLANT**

State of Chhattisgarh

Versus**Respondent**

Anand Kumar Toppo

WRIT APPEAL (PR) No. 2837 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Harman Bara

WRIT APPEAL (PR) No. 2838 of 2007**APPELLANT**

State of Chhattisgarh

Versus**Respondent**

Smt. Raji Kumari Thakur

WRIT APPEAL (PR) No. 2839 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Smt. F. Minj and others

WRIT APPEAL (PR) No. 2840 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

P. Bhogi Raju and others

WRIT APPEAL (PR) No. 2841 of 2007**APPELLANT**

State of Chhattisgarh

Versus**Respondent**

Pius Toppo

WRIT APPEAL (PR) No. 2842 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Smt. S. Mishra and others

WRIT APPEAL (PR) No. 2843 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Iiyazar Toppo

WRIT APPEAL (PR) No. 2844 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Setkumar Yadav and others

WRIT APPEAL (PR) No. 2846 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

J.B. Pradhan and others

WRIT APPEAL (PR) No. 2847 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Yashpal Kujur and others

**WRIT APPEAL (PR) No. 2848 of 2007****APPELLANT**

State of Chhattisgarh

Versus**Respondent**

Vijay Kumar Singh

WRIT APPEAL (PR) No. 2849 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

B.D. Dwivedi and others

WRIT APPEAL (PR) No. 2850 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Philomon Lakara and others

WRIT APPEAL (PR) No. 2851 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Prakash Tirkey

WRIT APPEAL (PR) No. 2852 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Satyanand Bhoi and others

WRIT APPEAL (PR) No. 2853 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Ram Kumar Kesharwani and others



195

WRIT APPEAL (PR) No. 2854 of 2007

APPELLANT

State of Chhattisgarh

Versus

RESPONDENT(S)

Habil Ekka and others

WRIT APPEAL (PR) No. 2855 of 2007

APPELLANT

State of Chhattisgarh

Versus

RESPONDENT(S)

Nashrit Tigga

WRIT APPEAL (PR) No. 2856 of 2007

APPELLANT

State of Chhattisgarh

Versus

RESPONDENT(S)

Shri B.U.B. Reddy and others

WRIT APPEAL (PR) No. 2857 of 2007

APPELLANT

State of Chhattisgarh

Versus

RESPONDENT(S)

Puspa Xalxo and others

WRIT APPEAL (PR) No. 2858 of 2007

APPELLANT

State of Chhattisgarh

Versus

RESPONDENT(S)

Smt. N. Gottlieb and others

WRIT APPEAL (PR) No. 2860 of 2007

APPELLANT

State of Chhattisgarh

Versus

RESPONDENT(S)

Seraphim Kerketta and others

WRIT APPEAL (PR) No. 2874 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Smt. Christina Tigga

WRIT APPEAL (PR) No. 2875 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Y. Veera Swamy and others

WRIT APPEAL (PR) No. 2876 of 2007**APPELLANT**

State of Chhattisgarh

Versus**Respondent**

Isaac Tirkey

WRIT APPEAL (PR) No. 2877 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

M. Shiv Prasad and others

WRIT APPEAL (PR) No. 2878 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Ku. Phulkeria L. Kujur

WRIT APPEAL (PR) No. 2879 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

M. Rama Rao and others

WRIT APPEAL (PR) No. 2891 of 2007**APPELLANT**

State of Chhattisgarh

Versus**Respondent**

Nirmal Ekka

WRIT APPEAL (PR) No. 2893 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Augustus Ekka and others

WRIT APPEAL (PR) No. 2894 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Konda Rao and others

WRIT APPEAL (PR) No. 2895 of 2007**APPELLANT**

State of Chhattisgarh

Versus**Respondent**

Abraham Lakara

WRIT APPEAL (PR) No. 2896 of 2007**APPELLANT**

State of Chhattisgarh

Versus**Respondent**

Hylarius Minz

WRIT APPEAL (PR) No. 2897 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Rudolf Ekka and others

WRIT APPEAL (PR) No. 2898 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Smt. Jasinta Kujur and others

WRIT APPEAL (PR) No. 2899 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Jerom Lakara and others

WRIT APPEAL (PR) No. 2900 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Ku. Scholastica Soureng and others

WRIT APPEAL (PR) No. 2901 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Zoachim Kispotta and others

WRIT APPEAL (PR) No. 2902 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

E.K. Anthoney and others

WRIT APPEAL (PR) No. 2903 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Smt. Janek Pradhan and others

WRIT APPEAL (PR) No. 2904 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Smt. T. Mukherjee and others

WRIT APPEAL (PR) No. 2905 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Selvester Ekka

WRIT APPEAL (PR) No. 2906 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Smt. D. Das and others

WRIT APPEAL (PR) No. 2907 of 2007**APPELLANT**

State of Chhattisgarh

Versus**Respondent**

Ku. Dilabaso Ekka

**WRIT APPEAL (PR) No. 2908 of 2007****APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

S. Dey and others

WRIT APPEAL (PR) No. 2909 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Ku. Clementina Tirkey

WRIT APPEAL (PR) No. 2910 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

P. Chinna Rao and others

WRIT APPEAL (PR) No. 2911 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

N.C. Dey and others

WRIT APPEAL (PR) No. 2912 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT**

Ku. Camela Ekka

WRIT APPEAL (PR) No. 2913 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

C.R. Pradhan and others.

**WRIT APPEAL (PR) No. 2914 of 2007****APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Virgina Kerketta

WRIT APPEAL (PR) No. 2915 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

K.R. Patel and others

WRIT APPEAL (PR) No. 2916 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Smt. K. Talukdar and others

WRIT APPEAL (PR) No. 2917 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Smt. S. Rai and others

WRIT APPEAL (PR) No. 2918 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

R.K. Pradhan and others

WRIT APPEAL (PR) No. 2919 of 2007**APPELLANT**

State of Chhattisgarh

Versus**Respondent**

Ku. Agnes Lakra

WRIT APPEAL (PR) No. 2920 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Ku. Marry Fransisca Lakra

WRIT APPEAL (PR) No. 2951 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

V.K. Nayak and others

WRIT APPEAL (PR) No. 2952 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

B.L. Pradhan and others

WRIT APPEAL (PR) No. 2953 of 2007**APPELLANT**

State of Chhattisgarh

Versus**Respondent**

Deo Kumar Gupta

WRIT APPEAL (PR) No. 2954 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

L.P. Pradhan and others

WRIT APPEAL (PR) No. 2955 of 2007**APPELLANT**

State of Chhattisgarh

Versus**Respondent**

Shibapada Baidya

WRIT APPEAL (PR) No. 2957 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Anand Kumar Mandal

WRIT APPEAL (PR) No. 2959 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

B.L. Chandel and others

WRIT APPEAL (PR) No. 2960 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

B.R. Chandranahu and others

WRIT APPEAL (PR) No. 2961 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Vimal Kumar Sahu and others

WRIT APPEAL (PR) No. 2962 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Benedict Minj

WRIT APPEAL (PR) No. 2963 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Smt. Swarup Bai Dansena

WRIT APPEAL (PR) No. 2964 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Smt. N. Sheikh and others

WRIT APPEAL (PR) No. 2965 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

V.P. Sharma and others

WRIT APPEAL (PR) No. 2967 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Smt. B. Leela Patnaik and others

WRIT APPEAL (PR) No. 2968 of 2007**APPELLANT**

State of Chhattisgarh

Versus**Respondent**

Ku. Emerncia Ekka

WRIT APPEAL (PR) No. 2969 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Radheshyam Barik and others

WRIT APPEAL (PR) No. 2970 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

T.K. Choudhary and others

205

WRIT APPEAL (PR) No. 2971 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Smt. Sulochna and others

WRIT APPEAL (PR) No. 2972 of 2007**APPELLANT**

State of Chhattisgarh

Versus**Respondent**

Nicodin Barwa

WRIT APPEAL (PR) No. 2973 of 2007**APPELLANT**

State of Chhattisgarh

Versus**Respondent**

B.L. Kushwoha

WRIT APPEAL (PR) No. 2974 of 2007**APPELLANT**

State of Chhattisgarh

Versus**Respondent**

Shanker Ram Gupta

WRIT APPEAL (PR) No. 2975 of 2007**APPELLANT**

State of Chhattisgarh

Versus**Respondent**

James Ekka

WRIT APPEAL (PR) No. 2977 of 2007**APPELLANT**

State of Chhattisgarh

Versus**Respondent**

Fulience Lakra



206

WRIT APPEAL (PR) No. 2978 of 2007

APPELLANT State of Chhattisgarh
Versus
RESPONDENT(S) Martin Toppo

WRIT APPEAL (PR) No. 2979 of 2007

APPELLANT State of Chhattisgarh
Versus
RESPONDENT(S) Smt. Alka Sadhu and others

WRIT APPEAL (PR) No. 2980 of 2007

APPELLANT State of Chhattisgarh
Versus
RESPONDENT(S) Kumari Gress Mariyam Tirkey

WRIT APPEAL (PR) No. 2992 of 2007

APPELLANT State of Chhattisgarh
Versus
RESPONDENT(S) Edward Tirkey

WRIT APPEAL (PR) No. 2993 of 2007

APPELLANT State of Chhattisgarh
Versus
RESPONDENT(S) Surendra Bahadur Singh and others

WRIT APPEAL (PR) No. 2996 of 2007

APPELLANT State of Chhattisgarh
Versus
RESPONDENT(S) Smt. S.L.Johns and others

207

WRIT APPEAL (PR) No. 2999 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Ramnidhi Porre and others

WRIT APPEAL (PR) No. 3000 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Pushpa Xaxa and others

WRIT APPEAL (PR) No. 3001 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Smt. V.Kumar and others

WRIT APPEAL (PR) No. 3002 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Smt. Jyoti Tigga and others

WRIT APPEAL (PR) No. 3003 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

V.M. Nand and others

WRIT APPEAL (PR) No. 3004 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

M. Paik and others

WRIT APPEAL (PR) No. 3006 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Smt. V.S. Kanwar and others

WRIT APPEAL (PR) No. 3007 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Jaidev Nag and others

WRIT APPEAL (PR) No. 3008 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

N.B. Ram and others

WRIT APPEAL (PR) No. 3009 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Manoj Kumar Jain and others

WRIT APPEAL (PR) No. 3010 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

S. Nand and others

WRIT APPEAL (PR) No. 3021 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Avinash Chandra Upadhyaya

WRIT APPEAL (PR) No. 3094 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Khetu Ram Panda and others

WRIT APPEAL (PR) No. 3101 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

I.P. Sahu and others

WRIT APPEAL (PR) No. 3104 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

P.L. Dewangan and others

WRIT APPEAL (PR) No. 3105 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

D.K. Swarnakar and others

WRIT APPEAL (PR) No. 3106 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

D.K. Pareta and others

WRIT APPEAL (PR) No. 3107 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Ravi Kumar Sharma and others

WRIT APPEAL (PR) No. 3109 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Smt. Jyoti Kerketta and others

WRIT APPEAL (PR) No. 3110 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Abid Ekka

WRIT APPEAL (PR) No. 3111 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Smt. Sunita Nigam and others

WRIT APPEAL (PR) No. 3112 of 2007**APPELLANT**

State of Chhattisgarh

Versus**Respondent**

Cornelius Kujur

WRIT APPEAL (PR) No. 3115 of 2007**APPELLANT**

State of Chhattisgarh

Versus**Respondent**

Ranjit Singh

WRIT APPEAL (PR) No. 3117 of 2007**APPELLANT**

State of Chhattisgarh

Versus**RESPONDENT(S)**

Smt. Asha Dwivedi and others



WRIT APPEAL PR No.3118/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** Biharilal Rathia

WRIT APPEAL PR No.3119/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** Jai Mashi Lakara

WRIT APPEAL PR No.3121/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** Smt. S. Bhattacharjee and others

WRIT APPEAL PR No.3122/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** Steeven Lozrous and others

WRIT APPEAL PR No.3123/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** Boniface Kujur

WRIT APPEAL PR No.3124/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** Smt. S. Deshpande and others

WRIT APPEAL PR No.3125/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** Smt. Silmanti Tirkey

**WRIT APPEAL PR No.3130/2007**

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** Theophil Kujur and others

WRIT APPEAL PR No.3200/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** Smt. Usha Thoke and others

WRIT APPEAL PR No.3204/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** Sita Ram and others

WRIT APPEAL PR No.3205/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** Smt. Chhitra Nagpal and others

WRIT APPEAL PR No.3207/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** Kailash Prakash Pandey and others

WRIT APPEAL PR No.3209/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** Smt. Shefali Das and others

WRIT APPEAL PR No.3210/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** Smt. Shakuntala Pilley and others

WRIT APPEAL PR No.3211/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** Smt. Anjali Shrivastava and others

WRIT APPEAL PR No.3212/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** Ramadhar Verma and others

WRIT APPEAL PR No.3213/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** Ram Singh Kaiwart and others

WRIT APPEAL PR No.3214/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** J.K. Singh and others

WRIT APPEAL PR No.3216/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** Pradeep Santram Khirwadkar and others

WRIT APPEAL PR No.3217/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** R.L. Vishwakarma and others

WRIT APPEAL PR No.3218/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** Vidur Sharma and others

WRIT APPEAL PR No.3219/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** Karam Sai and others

(214)

WRIT APPEAL PR No.3220/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** R.K. Deo and others

WRIT APPEAL PR No.3221/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** Ashok Kumar Raidas and others

WRIT APPEAL PR No.3222/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** R.N. Jaiswal and others

WRIT APPEAL PR No.3223/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** Puran Das and others

WRIT APPEAL PR No.3224/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** Ku. Savita Manghi and others

WRIT APPEAL PR No.3225/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** P.K. Bakshi and others

WRIT APPEAL PR No.3226/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** Pradeep Kumar Jain and others

WRIT APPEAL PR No.3227/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** Vijay Mohan Dubey and others

(215)

WRIT APPEAL PR No.3230/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** Bhinsent Kujur and others

WRIT APPEAL PR No.2776/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** Ciril Xalxo and others

WRIT APPEAL PR No.2778/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** Arun Kujur and others

WRIT APPEAL PR No.2781/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** Gregori Ekka and others

WRIT APPEAL PR No.2788/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** Victor Barwa

WRIT APPEAL PR No.2789/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **Versus** Shri Santosh Kumar Yadav and others

WRIT APPEAL (P.R.) No. 2790/2007

APPELLANT State of Chhattisgarh
RESPONDENT(S) **VERSUS** Devenandan Prasad

**WRIT APPEAL (P.R.) No. 2807/2007****APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Jermarius Kujur

WRIT APPEAL (P.R.) No. 2808/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Parmanand Bhoi & others

WRIT APPEAL (P.R.) No. 2809/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

R.B. Chowdhary & others

WRIT APPEAL (P.R.) No. 2810/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

S.R. Patel & others

WRIT APPEAL (P.R.) No. 2812/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

K.N. Patel & others

WRIT APPEAL (P.R.) No. 2813/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

P. Bhoi & others

WRIT APPEAL (P.R.) No. 2814/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

M. Dey & others

WRIT APPEAL (P.R.) No. 2825/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Rengsa Indwar & others

WRIT APPEAL (P.R.) No. 2859/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Johnson Peter & others

WRIT APPEAL (P.R.) No. 2861/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**Gajanand Prasad Pandey &
others**WRIT APPEAL (P.R.) No. 2862/2007****APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**Dinesh Kumar Agrawal &
others**WRIT APPEAL (P.R.) No. 2863/2007****APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Haldhar Pradhan & others

WRIT APPEAL (P.R.) No. 2864/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Mahendra Kashyap & others

WRIT APPEAL (P.R.) No. 2865/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Clement Tirkey & others

WRIT APPEAL (P.R.) No. 2866/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Bardan Toppo & others

WRIT APPEAL (P.R.) No. 2867/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

B.J. Kumar & others

WRIT APPEAL (P.R.) No. 2868/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Smt. Sharda Devi

WRIT APPEAL (P.R.) No. 2869/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**Rajeshchandra Sahu &
others

WRIT APPEAL (P.R.) No. 2870/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

P.S. Zema & others

WRIT APPEAL (P.R.) No. 2871/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Smt. A.F. Hashmi & others

WRIT APPEAL (P.R.) No. 2872/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Smt. Sabina Xalxo

WRIT APPEAL (P.R.) No. 2873/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Smt. Sushma Toppo

WRIT APPEAL (P.R.) No. 2880/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Smt. P.K. Kachhap & others

WRIT APPEAL (P.R.) No. 2881/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Akshay Kumar & others

WRIT APPEAL (P.R.) No. 2882/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Smt. R. Pathak & others

WRIT APPEAL (P.R.) No. 2883/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Patrik Bakhala & others

WRIT APPEAL (P.R.) No. 2884/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Smt. N. Laxmi & others

WRIT APPEAL (P.R.) No. 2885/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Ajit Kujur

WRIT APPEAL (P.R.) No. 2886/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Muni Singh & others

WRIT APPEAL (P.R.) No. 2887/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Ku. Victoria Tirkey & others

WRIT APPEAL (P.R.) No. 2888/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Yugal Kumar Tirkey & others

**WRIT APPEAL (P.R.) No. 2889/2007****APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Suresh Chandra Mahapatra

WRIT APPEAL (P.R.) No. 2892/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Athnas Kujur

WRIT APPEAL (P.R.) No. 2921/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Ku. Tarsila Toppo

WRIT APPEAL (P.R.) No. 2922/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Ku. Lawrencecia Lakra

WRIT APPEAL (P.R.) No. 2923/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Ku. Sushana Kujur

WRIT APPEAL (P.R.) No. 2924/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Martin Ekka

WRIT APPEAL (P.R.) No. 2925/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Ku. Laurencia Kujur



WRIT APPEAL (P.R.) No. 2926/2007

APPELLANT State of Chhattisgarh
VERSUS
RESPONDENT(S) Shri Pankaj Mishra & others

WRIT APPEAL (P.R.) No. 2927/2007

APPELLANT State of Chhattisgarh
VERSUS
RESPONDENT(S) Ku. Berthan Toppo

WRIT APPEAL (P.R.) No. 2928/2007

APPELLANT State of Chhattisgarh
VERSUS
RESPONDENT(S) T.C. Pradhan & others

WRIT APPEAL (P.R.) No. 2929/2007

APPELLANT State of Chhattisgarh
VERSUS
RESPONDENT(S) Smt. Yajana Borker & others

WRIT APPEAL (P.R.) No. 2931/2007

APPELLANT State of Chhattisgarh
VERSUS
RESPONDENT(S) Smt. S. Acquilla & others

WRIT APPEAL (P.R.) No. 2932/2007

APPELLANT State of Chhattisgarh
VERSUS
RESPONDENT(S) Smt. K. Vijayalakshmi & others

223

WRIT APPEAL (P.R.) No. 2933/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

J. Ganpati Rao & others

WRIT APPEAL (P.R.) No. 2934/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Devesh Awasthi & others

WRIT APPEAL (P.R.) No. 2935/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Alois Lakra

WRIT APPEAL (P.R.) No. 2937/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Anthony Lakra

WRIT APPEAL (P.R.) No. 2940/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**K. Soma Sekhar Sharma &
others**WRIT APPEAL (P.R.) No. 2944/2007****APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Nabor Kerketta

WRIT APPEAL (P.R.) No. 2945/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Sirish Koranne

WRIT APPEAL (P.R.) No. 2946/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**Smt. B. Rama Bharti &
others**WRIT APPEAL (P.R.) No. 2956/2007****APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

C.R. Chaudhary & others

WRIT APPEAL (P.R.) No. 2958/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Smt. S.N. Adrews & others

WRIT APPEAL (P.R.) No. 2966/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Miss Sabina Lakra

WRIT APPEAL (P.R.) No. 2976/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**Smt. Arun Hariharno &
others**WRIT APPEAL (P.R.) No. 2981/2007****APPELLANT**

State of Chhattisgarh

RESPONDENT(S) **VERSUS** Ku. Arik Mary Rose Baehman
& others

WRIT APPEAL (P.R.) No. 2982/2007

APPELLANT State of Chhattisgarh

RESPONDENT(S) **VERSUS** Ku. Anastasiya Kujur &
others

WRIT APPEAL (P.R.) No. 2983/2007

APPELLANT State of Chhattisgarh

RESPONDENT(S) **VERSUS** Ku. Margret Philip

WRIT APPEAL (P.R.) No. 2984/2007

APPELLANT State of Chhattisgarh

RESPONDENT(S) **VERSUS** S.R. Patel & others

WRIT APPEAL (P.R.) No. 2985/2007

APPELLANT State of Chhattisgarh

RESPONDENT(S) **VERSUS** Shri Sureshchand Sharma &
others

WRIT APPEAL (P.R.) No. 2986/2007

APPELLANT State of Chhattisgarh

RESPONDENT(S) **VERSUS** Lucas Toppo & others

WRIT APPEAL (P.R.) No. 2987/2007

APPELLANT State of Chhattisgarh

RESPONDENT(S) **VERSUS** M. Kaleem & others

**WRIT APPEAL (P.R.) No. 2988/2007****APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Ku. Deodatta Ekka

WRIT APPEAL (P.R.) No. 2989/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Ram Prasad & others

WRIT APPEAL (P.R.) No. 2990/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Khemraj Patel & others

WRIT APPEAL (P.R.) No. 2991/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Smt. Jyoti Lakara & others

WRIT APPEAL (P.R.) No. 2994/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

R.N. Nilagar & others

WRIT APPEAL (P.R.) No. 2995/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Jai Kumar Lakara & others

WRIT APPEAL (P.R.) No. 2997/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Jual Rajhans & others

WRIT APPEAL (P.R.) No. 2998/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Keshav Prasad & others

WRIT APPEAL (P.R.) No. 3005/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

H. Kumar & others

WRIT APPEAL (P.R.) No. 3011/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Ku. Susanna Toppo

WRIT APPEAL (P.R.) No. 3012/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

P.N. Tripathi & others

WRIT APPEAL (P.R.) No. 3013/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Shivcharan Kashyap & others

WRIT APPEAL (P.R.) No. 3014/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

H.C. Patel & others

WRIT APPEAL (P.R.) No. 3015/2007**APPELLANT**

State of Chhattisgarh

RESPONDENT(S) **VERSUS** L.L. Mishra & others

WRIT APPEAL (P.R.) No. 3016/2007

APPELLANT State of Chhattisgarh

RESPONDENT(S) **VERSUS** Chandrasen Swarnkar & others

WRIT APPEAL (P.R.) No. 3017/2007

APPELLANT State of Chhattisgarh

RESPONDENT(S) **VERSUS** Ku. Dayawanti Minj

WRIT APPEAL (P.R.) No. 3018/2007

APPELLANT State of Chhattisgarh

RESPONDENT(S) **VERSUS** Jaipal Kumar Verma & others

WRIT APPEAL (P.R.) No. 3019/2007

APPELLANT State of Chhattisgarh

RESPONDENT(S) **VERSUS** Mahesh Ram Swarnkar & others

WRIT APPEAL (P.R.) No. 3020/2007

APPELLANT State of Chhattisgarh

RESPONDENT(S) **VERSUS** V.T. Peter & others

WRIT APPEAL (P.R.) No. 3022/2007

APPELLANT State of Chhattisgarh

RESPONDENT(S) **VERSUS** Smt. Lucia Tirkey & others

**WRIT APPEAL (P.R.) No. 3023/2007****APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**Smt. A Shobha Naidu &
others**WRIT APPEAL (P.R.) No. 3024/2007****APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Ram Gopal Tiwari & others

WRIT APPEAL (P.R.) No. 3025/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**Smt. Jawa Kusum Majumdar
& others**WRIT APPEAL (P.R.) No. 3026/2007****APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Nabod Kuldeep & others

WRIT APPEAL (P.R.) No. 3027/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Smt. Selsa Minj & others

WRIT APPEAL (P.R.) No. 3028/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Bhushan Xalxo & others

**WRIT APPEAL (P.R.) No. 3029/2007****APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

T.R. Kashyap & others

WRIT APPEAL (P.R.) No. 3030/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Ganesh Ram Patel & others

WRIT APPEAL (P.R.) No. 3031/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

B.K. Sarkar & others

WRIT APPEAL (P.R.) No. 3032/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**Basant Kumar Chandrakar &
others**WRIT APPEAL (P.R.) No. 3033/2007****APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

J.B. Kashyap & others

WRIT APPEAL (P.R.) No. 3034/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Albinus Kerketta & others

WRIT APPEAL (P.R.) No. 3035/2007

APPELLANT

State of Chhattisgarh

VERSUS

RESPONDENT(S)

Telesfore Kujur & others

WRIT APPEAL (P.R.) No. 3036/2007

APPELLANT

State of Chhattisgarh

VERSUS

RESPONDENT(S)

Dhanurjay Bhoi & others

WRIT APPEAL (P.R.) No. 3037/2007

APPELLANT

State of Chhattisgarh

VERSUS

RESPONDENT(S)

Smt. Laxmi Shrivastava &
others

WRIT APPEAL (P.R.) No. 3038/2007

APPELLANT

State of Chhattisgarh

VERSUS

RESPONDENT(S)

N.K. Pradhan & others

WRIT APPEAL (P.R.) No. 3039/2007

APPELLANT

State of Chhattisgarh

VERSUS

RESPONDENT(S)

Cletus Tirkey & others

WRIT APPEAL (P.R.) No. 3040/2007

APPELLANT

State of Chhattisgarh

VERSUS

RESPONDENT(S)

B.M. Chwodhary & others

**WRIT APPEAL (P.R.) No. 3041/2007****APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Smt. P.E. Nathaniel & others

WRIT APPEAL (P.R.) No. 3042/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**Ku. Dorthia Kerketta &
others**WRIT APPEAL (P.R.) No. 3048/2007****APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Hermanus Baxla & others

WRIT APPEAL (P.R.) No. 3050/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Anil Kumar Gupta & others

WRIT APPEAL (P.R.) No. 3051/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**Ku. Suchita Dungdung &
others**WRIT APPEAL (P.R.) No. 3052/2007****APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Alois Walson Ninz & others

**WRIT APPEAL (P.R.) No. 3053/2007****APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Ku. P. Rajana Naidu & others

WRIT APPEAL (P.R.) No. 3055/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Ajit Prafull Minj & others

WRIT APPEAL (P.R.) No. 3056/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Neeraj Shrivastava & others

WRIT APPEAL (P.R.) No. 3057/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Felisita Beck & others

WRIT APPEAL (P.R.) No. 3059/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Pascal Xalxo & others

WRIT APPEAL (P.R.) No. 3060/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Smt. Clara Toppo & others

WRIT APPEAL (P.R.) No. 3061/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Pascal Xese & others

(234)

WRIT APPEAL (P.R.) No. 3062/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**Praveen Kumar Singh &
others**WRIT APPEAL (P.R.) No. 3063/2007****APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Smt. Jolly Winsent & others

WRIT APPEAL (P.R.) No. 3064/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Jyoti Prakash Tirkey & others

WRIT APPEAL (P.R.) No. 3066/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Nestore Tirkey & others

WRIT APPEAL (P.R.) No. 3067/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**Smt. Sophia Kispotta &
others**WRIT APPEAL (P.R.) No. 3068/2007****APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**Makhanpuri Goswami &
others

235

WRIT APPEAL (P.R.) No. 3070/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Amritlal Sahu & others

WRIT APPEAL (P.R.) No. 3073/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Ku. P Kaser & others

WRIT APPEAL (P.R.) No. 3077/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Ku. E. Luies & others

WRIT APPEAL (P.R.) No. 3078/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**Rajkumar Prasaed Mishra &
others**WRIT APPEAL (P.R.) No. 3079/2007****APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

V. Subramanyam & others

WRIT APPEAL (P.R.) No. 3097/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**Gautam Singh Gaharwar &
others

WRIT APPEAL (P.R.) No. 3099/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

M.L. Sharma & others

WRIT APPEAL (P.R.) No. 3100/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

P.N. Agrawal & others

WRIT APPEAL (P.R.) No. 3102/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Augustus Lakara & others

WRIT APPEAL (P.R.) No. 3103/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Manihar Lakra

WRIT APPEAL (P.R.) No. 3108/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Smt. Sudha Nath & others

WRIT APPEAL (P.R.) No. 3113/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Smt. Razi Vaddan & others

WRIT APPEAL (P.R.) No. 3114/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Smt. Marry Ekka

**WRIT APPEAL (P.R.) No. 3116/2007****APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**Smt. Usha Deshmukh &
others**WRIT APPEAL (P.R.) No. 3120/2007****APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Anuranjan Kerketta

WRIT APPEAL (P.R.) No. 3126/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Niryus Lakara

WRIT APPEAL (P.R.) No. 3127/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Smt. Mridula Peter & others

WRIT APPEAL (P.R.) No. 3128/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Manoj K.S. Baghel

WRIT APPEAL (P.R.) No. 3129/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Smt. M. Roy & others

WRIT APPEAL (P.R.) No. 3135/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

V. Bargah & others

WRIT APPEAL (P.R.) No. 3136/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Kriparam Patel & others

WRIT APPEAL (P.R.) No. 3138/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Smt. Sarita Shukla & others

WRIT APPEAL (P.R.) No. 3142/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Narendra Kumar Debey & others

WRIT APPEAL (P.R.) No. 3143/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Ku. Prafulla Kujur & others

WRIT APPEAL (P.R.) No. 3144/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Balaji Singh Kharsan & others

(259)

WRIT APPEAL (P.R.) No. 3151/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

A. DE & others

WRIT APPEAL (P.R.) No. 3201/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**Smt. Kamar Sultana &
others**WRIT APPEAL (P.R.) No. 3202/2007****APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

G.D. Jangade & others

WRIT APPEAL (P.R.) No. 3203/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Smt. Lalita Thakur & others

WRIT APPEAL (P.R.) No. 3206/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Sukhiram & others

WRIT APPEAL (P.R.) No. 3208/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Smt. N. Chopda & others

2nd

WRIT APPEAL (P.R.) No. 3215/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

N.K. Tiwari & others

WRIT APPEAL (P.R.) No. 3277/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

B.L. Bagarti & others

WRIT APPEAL (P.R.) No. 3278/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**Smt. Manjula Henri &
others**WRIT APPEAL (P.R.) No. 3279/2007****APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**Laxmi Prasad Yadav &
others**WRIT APPEAL (P.R.) No. 3280/2007****APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

H. Anthoney & others

WRIT APPEAL (P.R.) No. 3281/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**Smt. Mamta Rani Kanwar &
others

**WRIT APPEAL (P.R.) No. 3282/2007****APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

J.R. Nayak & others

WRIT APPEAL (P.R.) No. 3299/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Shri Lambodar Pod & others

WRIT APPEAL (P.R.) No. 3300/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Mariyanus Ekka & others

WRIT APPEAL (P.R.) No. 3301/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

R.S. Rai & others

WRIT APPEAL (P.R.) No. 3302/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Harilram & others

WRIT APPEAL (P.R.) No. 3303/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Ramanand Soni & others

WRIT APPEAL (P.R.) No. 3304/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**Smt. S.M. Upadhyay &
others**WRIT APPEAL (P.R.) No. 3305/2007****APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Y.P. Mishra & others

WRIT APPEAL (P.R.) No. 3306/2007**APPELLANT**

State of Chhattisgarh

VERSUS**RESPONDENT(S)**

Smt. H. Gardia & others

**WRIT APPEALS UNDER SECTION 2 (1) OF CHHATTISGARH
HIGH COURT (APPEAL TO DIVISION BENCH) ACT, 2006.****Appearance :**

Mr. V.V. Murthy and Mr. A.S. Kachhwaha, Dy. Advocate
Generals for the State/APPELLANTS in all the writ
appeals.

Mr. N.K. Vyas and Mr. Saurabh Sharma, Counsel for the
respective respondent(s) in all the writ appeals.

**ORAL ORDER
(29.06.2012)**

The following order of the Court was passed by
Abhay Manohar Sapre, J.

Heard.

(2) The decision rendered in Writ Appeal No.88/2007, shall
also govern the disposal of other connected appeals mentioned
above, because, all these appeals firstly arise out of the same

impugned order and secondly, they involve common question of law and fact.

(3) This is an appeal filed by the writ petitioner of W.P. No. 4108 of 2005 under Section 2 (1) of the Chhattisgarh High Court (Appeal to Division Bench) Act, 2006 against the common order dated 6th of February 2007 passed by the learned Single Judge in the aforementioned writ petition and other connected writ petitions.

(4) The question involved in the writ petition and which came to be decided by the writ Court in the impugned order, out of which, this intra Court appeal arises, was whether the Teachers working in Government aided schools in the State of Chhattisgarh are entitled to claim the benefit of recommendations made by the 5th Pay Commission under the provisions of the Madhya Pradesh *Ashaskiya Sikshan Sanstha (Adhyapakon Tatha Anya Karamcharyon Ke Vetano Ka Sandaya) Adhiniyam*, 1978 read with rules framed there under?

(5) The aforesaid question was debated and eventually decided by the learned Single Judge (writ Court) in affirmative i.e. in favour of the writ petitioners (teachers) and against the State, which resulted in allowing of the writ petitions of the Teachers working in the concerned schools.

(6) This is what the concluding paragraph of the impugned order of the writ Court reads :

“In view of the submission made by learned counsel appearing for the RESPONDENT(S) that there would be a substantial financial burden on the State Exchequer, it is appropriate to give following directions in regard to payment of arrears :-

- (i) The petitioners shall be payable the revised pay-scales immediately with effect from

(244)

01.10.2006 in accordance with the Pay Rules, 1998.

- (ii) The difference of amount of payment with effect from 1-1-1996 till September 2006, as a result of the revised pay-scales, shall be payable in ten six-monthly installments.
- (iii) The said amount may be payable to the General Provident Fund of the teacher concerned carrying interest equal to the interest payable to the General Provident Fund of the concerned teacher."

(7) This appeal along with other analogous appeals filed by the State of Chhattisgarh were admitted by a Division Bench of this Court, presided over by Hon'ble Mr. Justice H.L. Duttu, Chief Justice (as his Lordship then was) and Hon'ble Mr. Justice D.R. Deshmukh, on 25.04.2007, and their Lordships while admitting these appeals, only for examining a short question namely whether the direction given by the writ Court to pay the arrears of salary to Teachers in ten six monthly installments is legally and factually sustainable or it needs some modifications. It is apposite to quote the order dated 25.04.2007 in verbatim infra.

"Heard Shri VVS Murthy, Dy. AG for the State/appellant.

Learned Dy. AG confines this writ appeal only to paragraph 7 of the memorandum of appeal. Paragraph reads as under :

"That the Learned Single Judge, considering the total amount involved, ought to have been more liberal in fixing the total number of installments and making it annual instead of 6 monthly. Under the circumstances, the judgment/order of the Learned Single Judge is liable to be set aside/reversed, alternately, is liable to be modified, so as to exonerate the State of Chhattisgarh from the liability of payment of the amount disputed in the appeal or



245

alternatively to make the installments annual and more liberal.”

In the said paragraph and in other paragraphs, the State Government has pleaded its financial difficulties to pay the amounts as directed by the learned Single Judge. The grievance of the appellant in this regard appears to be bonafide, genuine and reasonable. Therefore, notice to the learned counsel who had appeared before the learned Single Judge requires to be issued to decide only paragraph 7 of the memorandum of writ appeal. Accordingly, the following :

ORDER

- 1) Issue notice Shri Sanjay K. Agrawal, Shri Ashish Shrivastava, Shri Manoj Paranjpe, Mrs. Fouzia Mirza, Shri Arun Kumar Shukla, Shri Sanjay Ram Tamrakar, Shri Rewa Shankar Patel, Shri Ramakant Pandey, Shri Ramakant Mishra, Shri Neel Kanth Malviya, Shri Anoop Mazumdar, Shri Anurag Dayal Shrivastava, Shri V.K. Pandey, Shri Y.C. Sharma, Shri Anupam Dubey, Shri Shailendra Shukla, Ms. Sunita Jain, Shri Saurabh Sharma, Shri Saurabh Sahani, Shri Sachin Singh Rajput, Shri A.K.Yadav, Shri Raghvendra Pradhan and Shri S.S. Mishra, Advocates for the petitioners in writ petitions filed before the learned Single Judge.
- 2) Any order that would be passed by us would be subject to the decision of the SLP said to be pending before the Apex Court, filed by the State of Madhya Pradesh in more or less similar matters.

(8) It is not in dispute that the identical issue, which is the subject matter of this appeal, was also subject matter of another bunch of writ petitions/appeals before the High Court of Madhya Pradesh (prior to 01.11.2000) at principal Bench of High Court of Jabalpur and the High Court of Madhya Pradesh by judgment dated 29.01.2003 passed in L.P.A. No.48/03 has held that the Teachers working in the State of Madhya Pradesh in various Government aided schools are entitled to take benefit of the 5th Pay Commission and accordingly, orders were passed

directing them to give such benefit. It is also not in dispute that the State has felt aggrieved and filed SLP No.639/2004 before the Supreme Court of India. It is pending consideration for its final disposal and the judgment is awaited.

(9) Having heard the learned counsel for the parties and keeping in view the background narrated above, we notice that this appeal involves only a short point i.e. Whether the learned Single Judge (writ Court) was justified in giving direction to pay the arrears in ten six monthly installments? In other words, the question that really arises for consideration in this appeal at the instance of the State is, Whether the learned Single Judge was justified in directing payment of arrears of salary payable to the Teachers in ten half yearly equal installments? According to the State, the learned Single Judge should have been more liberal in fixing the installments than what have been fixed i.e. it should have been more than 10 installments.

(10) Mr. V.V. S. Murthy, learned Deputy Advocate General for the State/appellants fairly conceded that after passing of the impugned order, the State has so far paid 50% (5 installments) of the total claim of the teachers as per impugned directions of the learned Single Judge and now only 5 installments remain to be paid to the Teachers.

(11) In our opinion, taking into account all facts and circumstances of the case and the fact that 50% of the amount towards full arrears have already been paid and further that issue is sub judice in the Supreme Court at the instance of the State of M.P., we consider it just and proper and in the interest of justice to modify the impugned direction in part and direct that the balance 50% of the arrears, which was otherwise payable on or before February 2012 in terms of impugned directives, would now be payable/paid within 2 ½ years i.e. on or before August 2014 in six monthly equal installments by the

(257)

State to the Teachers concerned. In other words, the State will now pay remaining 50% of the balance of arrears in terms of the impugned order on or before August 2014 in six monthly (half yearly) equal installments. The installments now be accordingly paid.

(12) We also consider it apposite to observe, as mentioned in order dated 25.04.2007 supra that this decision shall be subject to the result of eventual order that will be passed by the Supreme Court in Civil Appeal No.6399/2004, which arises out of the order passed by the High Court of Madhya Pradesh in LPA No.48/03, because, issue involved in this case and the one involved in the case pending before the Supreme Court is identical. We also direct that depending upon the directions given by the Supreme Court in the order, the State will always be entitled to pass consequential orders in respect of all institutions and the affected teachers to ensure implementation of the order passed by the Supreme Court, if required. Indeed, on this issue both the learned counsel for the parties fairly agreed.

(13) Subject to aforesaid modifications in the impugned order, the appeal stands finally disposed of.

(14) The original order shall be kept in the records of Writ Appeal No.88/2007 and the copies of the same shall be kept in the records of other connected appeals.

(15) No order as to cost(s).

Sd/-
Abhay Manohar Sapre
Judge

Sd/-
G. Minhajuddin
Judge