संचालनालय किसान कल्याण तथा कृषि विकास मध्य प्रदेश

/ / संक्षेपिका / /

विषय:— रिट याचिका कमांक डब्ल्यू०पी०/11128/2015(एस) एस०के० राय ग्रामीण कृषि विस्तार अधिकारी विरूद्ध म०प्र० शासन एवं अन्य में मान. उच्च न्यायालय खंडपीठ जबलपुर द्धारा पारित निर्णय दिनांक 18.8.2015 के विरूद्ध मान० उच्च न्यायालय की डबल बैंच में अपील किये जाने बाबत।

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विषयांतर्गत् याचिकाकर्ता श्री एस०के० राय ग्रामीण कृषि विस्तार अधिकारी के पद पर विकास खंड कटनी जिला कटनी में कार्यरत हैं। श्री राय की सेवायें म०प्र० राज्य पुनर्गठन अधिनियम वर्ष 2000 के अंतर्गत से छत्तीसगढ़ राज्य हेतु आबंटित की गई थीं जिसके विरूद्ध श्री राय द्वारा म०प्र० प्रशासनिक अभिकरण जबलपुर में याचिका क० ओ.ए. /3803/2002 दायर की जो उच्च न्यायालय जबलपुर में रिट याचिका क० डब्ल्यू०पी. /20893/2003 पर पंजीबद्ध हुई।

2. याचिका में मान. उच्च न्यायालय जबलपुर द्वारा पारित निर्णय दिनांक 15.9.2003 को पारित निर्णय में वादी के अभ्यावेदन के निराकरण के निर्देश दिये गये। निर्णय के परिपालन में वादी का अभ्यावेदन परीक्षण उपरांत भारत सरकार द्वारा अमान्य किये जाने से संचालनालयीन आदेश क्रमांक/न्याया./द.ग./2005/01 दिनांक 10.1.2006 द्वारा संबंधित को सूचित किया गया जिसके विरूद्ध वादी द्वारा पुनः मान0 उच्च न्यायालय जबलपुर में रिट याचिका क्रमांक डब्ल्यू०पी०/11128/2005 दायर की जिसमें मान0 उच्च न्यायालय द्वारा पारित निर्णय दिनांक 18.8.2015 द्वारा याचिका मान्य कर वादी का छत्तीसगढ़ आबंटन आदेश एवं अभ्यावेदन अमान्य किया गया आदेश क्रमशः एनेक्सचर पी—1 व पी—14 अपास्त किये गये।

3. रिट याचिका कमांक डब्ल्यू०पी० / 11128 / 2005 में मान० उच्च न्यायालय जबलपुर द्धारा पारित निर्णय दिनांक 18.5.2015 के संबंध में श्री प्रमोद पान्डे शासकीय अधिवक्ता कार्यालय महाधिवक्ता उच्च न्यायालय जबलपुर के पत्र कमांक 20376 दिनांक 29.12.2014 द्धारा प्रकरण में निम्नानुसार अभिमत दिया गया है।

"Writ petition has been filed by the petioner against the order of allocation although his representation has been rejected as well some other matter relating allocation namely B.K. Soni vs Union of India & others is still pending before Hon'ble Court but without given liberty to authority the same writ petition allowed by Hon'ble Court,

therefore, instant case, the Writ Apeal may be preferred,"

4 प्रकरण में शासकीय अधिवक्ता द्वारा उपरोक्तानुसार जारी अभिमत में रिट याचिका डब्ल्यू०पी० / 11128 / 2005 में मान० उच्च न्यायालय जबलपुर के निर्णय दिनांक 18.8.2015 के विरूद्ध मान. उच्च न्यायालय की डबल बैंच में अपील किये जाने का अभिमत दिया गया है।

प्रकरण में मान. उच्च न्यायालय जबलपुर के निर्णय दिनोंक 18.8.2015 के विरूद्ध अपील की अनुमति हेतु संक्षेपिका प्रस्तुत है।

किसान कल्याण तथा कृषि विकास मध्य प्रदेश, भोपाल

STATUS High Court Of Madhya Pradesh



MADHYA PRADESH

WRIT PETITION NO. 11128

OF 2005 (S)

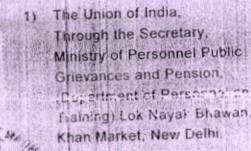
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R. to A.R.

S.K.Rai, aged about 47 years, Son of K.C. Rai, by Occupation Rural Agriculture Extension Officer, presently working in the Office of Senior Agriculture Development Officer, Block and District Katni (M.P.).

VERSUS

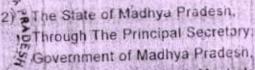
RESPONDENTS



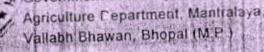














The State of Chhattisgarh, Through the Principal Secretary. Government of Chhattisga h. Agriculture Department, Mantralaya, D.K. Bhawan, Raipur (CG).

The Director of Agriculture, Government of M.P. Chroid (M.P.)



WRIT PETITION UNDER ARTICLE 225/227











HIGH COURT OF MADHYA PRADE

ORDER SHEET

DATE OF THE ORDER

18.08,2015

ORDER

W.P. No.11128 of 2005

W.P. No. 11128 of 2005

Shri D.K. Dixit, learned counsel for the petitioner.

Shri P.K. Pandey, learned Govt. Adv. for respondent-State.

The petitioner has filed this petition against the order of allocation (Annexures P-1 & P-14). By the aforesaid orders, the services of the petitioner have been allocated to the State of Chhattisgarh. The aforesaid order has been passed in accordance with the provisions of State Reorganization Act 2000. Earlier the petitioner filed original application before the M.P. State Administrative Tribunal against the order of allocation, which was registered as O.A. No. 3803 of 2002. After abolition of the tribunal, the original application was transferred before this court and renumbered as W.P. No. 20893/2003. This court disposed of the petition with the following direction:-

"On being asked for certified copy in this case, office will issue a certified copy of order passed in W.P. No. 21562/2003 in which number of this case has been given as cases decided alongwith the case of Brajendra Kumar Soni. No order as to costs."

In pursuance to the direction issued by this court the petitioner submitted a representation against his allocation. Copy of the representation has been filed as Annexure P-12. That representation was rejected, vide impugned order dated 22.3.2005. It is mentioned in the order that the comments of the State Government have been perused and after perusal of the

IN THE HI I COURT OF JUDICATURE AT JABALPUR.

W.P. NO. 11128/05

PETITIONER:

S.K.Rai Versus.

RESPONDENTS

State of Madhya Pradesh

APPLICATION FOR VACATING STAY.

The respondent named above, respectfully submits as under:-

Chhatisgarh in the year 2002 on the basis of provisin of law and also guidelines provided by the State Government.

The cases of petitioner has been considered in accordance with law and representation as also been rejected. The petitioner is continued in the State of Madhya Pradesh despite allocation to State of Chhatisgarh by vir is of interim order granted before this Honble Cour. The petitioner has absolutely no merit in the present patition and the same is liable to rejected.

In view of this, the interest of justice demands to the impugned order passed on 29.10.05 deserves to be versted.

3. An affiday in support is filed herewith.





HIGH COURT OF JUDICATURE AT : JABAL JR. IN.

W.P. No.11128/05

PETITIONER

S.K.Rai

Versus.

RESPONDENTS

State of Madhya Pradesh and Others

AFFIDAVIT

Sio Late Shri O.P.Agrawai aged about 3 years, Asstt That the conent is the Officer Incharge of the case on behalf of respondents R.K.Agra Director, Agricult That the countries of paras 1 to 93 of the attached application are true on the basis of in simulation received from the record of the case and documents and is con annexed to rato and believed to be true by me.

VERIFICATION

the above named deponent, do reeby verify that contents of pe is 1 and 2 of above affidavit are true to my person knowledge.

Verified an signed on this

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> Case Details Earlier Court Details Connected Matters

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	Petitioner	S.K.Rai	Orders
	Respondent	The Union Of India	17-08-2015NA 29-06-2015NA 31-03-2015NA
	Petitioner Advocate	Dk. Anshul Duot Manoj Mishra	
	Respondent Advocate	D Sharma H Agninotri Ajay Ojja Ag(2,4)	
	Date of Disposal	18-08-2015	

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