

संचालनालय  
किसान कल्याण तथा कृषि विकास  
मध्य प्रदेश

// संक्षेपिका //

विषय:- रिट याचिका क्रमांक डब्ल्यू0पी0/11128/2015(एस) एस0के0 राय ग्रामीण  
कृषि विस्तार अधिकारी विरुद्ध म0प्र0 शासन एवं अन्य में मान. उच्च  
न्यायालय खंडपीठ जबलपुर द्वारा पारित निर्णय दिनांक 18.8.2015 के  
विरुद्ध मान0 उच्च न्यायालय की डबल बैंच में अपील किये जाने बाबत।

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विषयांतर्गत याचिकाकर्ता श्री एस0के0 राय ग्रामीण कृषि विस्तार अधिकारी के  
पद पर विकास खंड कटनी जिला कटनी में कार्यरत हैं। श्री राय की सेवायें म0प्र0 राज्य  
पुनर्गठन अधिनियम वर्ष 2000 के अंतर्गत से छत्तीसगढ़ राज्य हेतु आबंटित की गई थीं  
जिसके विरुद्ध श्री राय द्वारा म0प्र0 प्रशासनिक अभिकरण जबलपुर में याचिका क्र0 ओ.ए.  
/3803/2002 दायर की जो उच्च न्यायालय जबलपुर में रिट याचिका क्र0 डब्ल्यू0पी.  
/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 विरुद्ध वादी द्वारा पुनः मान0 उच्च न्यायालय जबलपुर में रिट  
याचिका क्रमांक डब्ल्यू0पी0/11128/2005 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 क्रमांक डब्ल्यू0पी0/11128/2005 में मान0 उच्च न्यायालय जबलपुर द्वारा पारित निर्णय दिनांक 18.5.2015 के संबंध में श्री प्रमोद पान्डे शासकीय अधिवक्ता कार्यालय महाधिवक्ता उच्च न्यायालय जबलपुर के पत्र क्रमांक 20376 दिनांक 29.12.2014 द्वारा प्रकरण में निम्नानुसार अभिमत दिया गया है।

" Writ petition has been filed by the petitioner 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 Appeal may be preferred,"

4 प्रकरण में शासकीय अधिवक्ता द्वारा उपरोक्तानुसार जारी अभिमत में रिट याचिका डब्ल्यू0पी0/11128/2005 में मान0 उच्च न्यायालय जबलपुर के निर्णय दिनांक 18.8.2015 के विरुद्ध मान. उच्च न्यायालय की डबल बेंच में अपील किये जाने का अभिमत दिया गया है।

5. प्रकरण में मान. उच्च न्यायालय जबलपुर के निर्णय दिनांक 18.8.2015 के विरुद्ध अपील की अनुमति हेतु संक्षेपिका प्रस्तुत है।



संचालक

किसान कल्याण तथा कृषि विकास  
मध्य प्रदेश, भोपाल



**IN THE HIGH COURT OF JUDICATURE AT JABALPUR  
MADHYA PRADESH**

WRIT PETITION NO. 11128 OF 2005 (S)

**PETITIONER**

Filed on 20/9/05  
by Shri M. Mishra

Advocate R.

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**

- 1) The Union of India,  
Through the Secretary,  
Ministry of Personnel Public  
Grievances and Pension,  
(Department of Personnel and  
Training) Lok Nayak Bhawan,  
Khan Market, New Delhi.
- 2) The State of Madhya Pradesh,  
Through The Principal Secretary,  
Government of Madhya Pradesh,  
Agriculture Department, Mantralaya,  
Vallabh Bhawan, Bhopal (M.P.)
- 3) The State of Chhattisgarh,  
Through the Principal Secretary,  
Government of Chhattisgarh,  
Agriculture Department, Mantralaya,  
D.K. Bhawan, Raipur (CG).
- 4) The Director of Agriculture,  
Government of M.P. (Indore (M.P.))

**WRIT PETITION UNDER ARTICLE 226/227 OF THE  
CONSTITUTION OF INDIA.**





# HIGH COURT OF MADHYA PRADESH

ORDER SHEET

CASE No. 201

Vs.



DATE OF THE ORDER	ORDER
	<p style="text-align: right;">W.P. No. 11128 of 2005</p> <p style="text-align: center;"><b>W.P. No. 11128 of 2005</b></p> <p><b>18.08.2015</b></p> <p>Shri D.K. Dixit, learned counsel for the petitioner.</p> <p>Shri P.K. Pandey, learned Govt. Adv. for respondent-State.</p> <p>The petitioner has filed this petition against the order of allocation (Annexures P-1 &amp; 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 :-</p> <p>"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."</p> <p>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</p>



**IN THE HON'BLE 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:-

1. That the petitioner has already been allocated to State of Chhatisgarh in the year 2002 on the basis of provision 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 virtue of interim order granted before this Hon'ble Court. The petitioner has absolutely no merit in the present petition and the same is liable to rejected.
2. In view of this, the interest of justice demands that the impugned order passed on 29.10.05 deserves to be vacated.
3. An affidavit in support is filed herewith.



X

CANCEL



IN HIGH COURT OF JUDICATURE AT JABALPUR  
W.P. No.11128/05

PETITIONER

S.K.Rai

Versus.

RESPONDENTS

State of Madhya Pradesh and Others

AFFIDAVIT

I R.K. Agrawal, S/o Late Shri O.P. Agrawal aged about 66 years, Asstt. Director, Agriculture, Jabalpur, do hereby make oath and state as under:

1. That the deponent is the Officer Incharge of the case on behalf of respondents and is conversant with the facts of the case.
2. That the contents of paras 1 to Q3 of the attached application are true on the basis of information received from the record of the case and documents annexed thereto and believed to be true by me.

~~DEPONENT~~



VERIFICATION

I, R.K. Agrawal, the above named deponent, do hereby verify that the contents of paras 1 and 2 of above affidavit are true to my personal knowledge.

29 day of Nov. 2006 at Jabalpur.

Verified and signed on this

~~DEPONENT~~

IDENTIFIED BY ME

*[Signature]*

29 Nov 06.  
Shri. *[Signature]*  
S/o of Shri. *[Signature]*  
who is present  
Identified by  
Signature  
Date  
29.11.06.



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warning: mysql\_connect(): Lost connection to MySQL server during query in /home/www/html/docs/drupal\_final\_new/misc/dbconn.php on line 2

Principal Seat Jabalpur Judgement/Order's Case Status Cause/Int Roster Copying Judges Registry Caveat

Principal Seat : Jabalpur Case Status

Case Number:	Case Type: WP	Case No: 11128	Year: 2005	Year: 2015	Case Type: ALL	PENDING	SHOW
Party Name:	Pat/Res	Party Name:	Year: 2015	Case Type: ALL	PENDING	SHOW	SHOW
Counsel Name:	Pat/Res	Counsel Name:	Year: 2015	Case Type: ALL	PENDING	SHOW	SHOW
Lawyer Enroll No.:	Year:	Case Year: ALL	Case No:	Year: 2015			SHOW
District Court:	District: Select	Case Type: Select	Crime No:	Year: 2015			
District Crime No/Year:	District: Select	Police Station: Select					

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10/13/2015 3:03

Disposed

Registration Date	20-09-2005
Case Detail	WRIT PETITION (WP) 11128/2005
DA Name	Sudam Dhage [WP-11-DA-15] [CIS User ID : 150]
First Entry Clerk	DATA TRANSFER On 20-09-2005 12:00:00
Last Updated By	CR17 RDR On 18-08-2015 03:48:11
Last Listed On	17-08-2015 [HON'BLE SHRI JUSTICE S.K. GANGELE] [Connected with : WP 9465/2005]
Last Order	Case Allowed-Ord dt: 17/08/2015
Status	Disposed (Disposal Date: 18-08-2015, Month: 8, Year: 2015, JUD: 19
Disp.Type	Allowed
Stage	Final Hearing (Writ Civil - SERVICE MATTERS - TRANSFER ) (16. Regular Case) [[FOR final hearing (Entered on : 08-07-2015)]]
Statutory Info.	Single Bench
Bench	Case received by Record Room Pending( Writ Petition) from Sudam Dhage/WP2 on
File Location	25-09-2014
Scanning Info	The Judgment/Order has NOT been Scanned ...!
Category	SERVICE RELATING TO STATE GOVT.-17100 Service Residuary-17143 Service Residuary-17143
Act	1 S.K.RAI S/D/W/Thru:- K.C.RAI RURAL AGRICULTURE EXTENSION OFFICER SENIOR AGRICULTURE DEVLOFFICER BLOCK AND DIST.KATNI , KATNI , KATNI , MADHYA PRADESH
Petitioner(s)	1 THE UNION OF INDIA S/D/W/Thru:- THROUGH : SECRETARY MINISTRY OF PERSONNEL PUBLIC GRIEVANCES & PENSION LOKNAYAK , New Delhi , OTHER STATE , DELHI
Respondent(s)	2 THE STATE OF M.P. THRU/ PRINCIPAL SECRETARY AGRICULTURE DEP. MANTRALAYA VALLABH BHAWAN BHOPAL , BHOPAL , BHOPAL , MADHYA PRADESH 3 THE STATE OF CHHATTISGARH THRU/ PRINCIPAL SECRETARY AGRICULTURE DEP. MANTRALAYA D.K. BHAWAN RAIPUR , BHOPAL , OTHER STATE , C.G. 4 THE DIRECTOR OF AGRICULTURE GOVT. OF M.P. BHOPAL , BHOPAL , BHOPAL , MADHYA PRADESH
Pet. Advocate(s)	DK.,ANSHUL DIXIT,MANOJ MISHRA
Resp. Advocate(s)	D.SHARMA,H.AGNIHOTRI,AJAY OJJA,AG(2,4)
Caveat No.	Not Mention
District	SM ALLOCATIO
U/Section	



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

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