

**(2019) 10 CHH CK 0144**

**Chhattisgarh High Court**

**Case No:** WPCR No. 988, 1008, 1025, 1028, 1032 Of 2019

Reena Bara And Ors

APPELLANT

Vs

State Of Chhattisgarh And Ors

RESPONDENT

**Date of Decision:** Oct. 18, 2019

**Hon'ble Judges:** Sanjay K. Agrawal, J

**Bench:** Single Bench

**Advocate:** Ishan Sharma, H.S. Ahluwalia

**Final Decision:** Disposed Of

**Judgement**

Sanjay K. Agrawal, J

1. These writ petitions have been preferred by the petitioners stating inter alia that their names have not been mentioned amongst the 99

'Shikshakarmis' against whom FIR No. 263/15 dated 08/07/2015 has been lodged by CEO Janpad Panchayat Surajpur at Police Station, Surajpur, yet

their service books have been seized by the Station House Officer and are not being released.

2. Mr. Ishan Verma, learned counsel for the petitioners would submit that as petitioners' service books are seized, they are suffering and the benefit of

increment along with other benefits are not extended to them, therefore, appropriate direction be issued for releasing their service books.

3. Mr. H.S. Ahluwalia, learned Deputy Advocate General for the State, on instructions, would submit that if the competent officer or the concerned

department moves an application for release of petitioners' service books, if not required for further probe, the service books will be released by the

Station House Officer.

4. I have heard learned counsel for the parties, considered their submissions and perused the records.

5. Taking into consideration the submission made by learned counsel for the petitioners that neither the petitioners are accused persons nor their

names have been mentioned anywhere in the FIR in question, as stated at the Bar, Block Education Officer, Surajpur may move an application for

release of service books of the petitioners to the Superintendent of Police, Surajpur within three weeks from the date of receipt of a copy of this order

and that application will be considered and decided by the Superintendent of Police, Surajpur within further two weeks and if petitioners' service books

/ necessary records are not necessary for investigation of the said offence, they shall be released to the competent officer / concerned department of

the Block Education Department. The service books will be kept in custody of the Block Education Officer, Surajpur for production as and when

necessary and they will not be destroyed / changed without the leave of the District Magistrate, Surajpur, however, necessary entry with regard to the

increments, etc. shall be made by the competent officer / concerned department and if required, services books will be produced before the competent

authority/Court.

6. With the aforesaid directions, these writ petitions stand disposed of. No order as to cost(s).

7. A copy of this order be sent to the Block Education Officer, Surajpur by e-mail/fax for needful and compliance.