
(2018) 07 CHH CK 0329

Chhattisgarh High Court

Case No: WA No. 83 Of 2018

Vijay Kumar Upadhyay

APPELLANT

Vs

State Of Chhattisgarh And Ors

RESPONDENT

Date of Decision: July 26, 2018

Hon'ble Judges: Ajay Kumar Tripathi, CJ; Prashant Kumar Mishra, J

Bench: Division Bench

Advocate: R. K. Jha, U. N. S. Deo,

Final Decision: Dismissed

Judgement

Prashant Kumar Mishra, J

1. Heard counsel for the appellant and counsel for the State.
2. The learned Single Judge had dismissed the writ petition vide order dated 09.01.2018 refusing to interfere with the order of repatriation of the appellant to his substantive post since he was on deputation.
3. Argument was made that a kind of stigma was created against the present appellant, because allegations with regard to the manner in which computers were being compelled to be purchased at the instance of the appellant emerged. It is said that certain enquiry was also held and the Authorities felt that it is not in the interest of the establishment to continue with the services of the deputationist.
4. So far as the stigma part is concerned, that is neither here nor there, but a deputationist cannot have a right to continue on deputation as is the settled law by the Hon'ble Supreme Court in the case of Kunad Nanda vs Union of India and another, reported in (2000) 5 SCC 362.
5. The appeal has no merit. It is accordingly dismissed.