



1

WA-2133-2025

IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE SANJEEV SACHDEVA,
CHIEF JUSTICE

&

HON'BLE SHRI JUSTICE VINAY SARAF

ON THE 28th OF AUGUST, 2025

WRIT APPEAL No. 2133 of 2025

SHAMBHU PRASAD PANDEY

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

.....
Appearance:

*Shri Arpan Pawar - Senior Advocate with Shri Akshat Arjaria -
Advocate for appellant.*

Shri Anubhav Jain - Government Advocate for respondents/State.
.....

ORDER

Per. Hon'ble Shri Justice Sanjeev Sachdeva, Chief Justice

1. Appellant impugns order dated 03.07.2025 whereby writ petition filed by appellant has been dismissed on the ground on delay and latches.
2. Appellant was appointed as a Lower Division Teacher in a non-government institution. Thereafter, as per appellant he was appointed as an Upper Division Teacher in an aided institution. The said institution was taken over by the government and decision was taken by the State Government to absorb the employees working with the erstwhile institution. Order dated 08.12.1987 was passed directing that appellant



shall be absorbed as a Lecturer.

3. The case of the appellant is that the said order was erroneous and appellant should have been absorbed as a Principal and not as a Lecturer. Appellant thereafter filed a representation in the year 1988 to the Education Minister. As per the appellant, said representation remained pending till the year 2000, when by a cryptic one line order representation was rejected. Thereafter, once again a representation was given which was rejected on 13.11.2003. Thereafter, appellant filed the subject writ petition on 08.02.2004.
4. Learned Single Judge has noticed that the initial order whereby the appellant was placed as a Lecturer, was passed on 08.12.1987 and the writ petition was filed in February, 2004 after a gap of nearly 17 years. Learned Single Judge has also noticed that initial order dated 08.12.1987 whereby appellant was directed to be appointed as Lecturer, was never challenged by the appellant. Learned Single Judge has noticed and in our view rightly held, that since appellant has not impugned order dated 08.12.1987, the said order has become final. In the subject writ petition, appellant has only impugned order whereby representation of appellant has been rejected. There is no challenge till date to the order date 08.12.1987 which as per appellant was erroneous. All subsequent relief sought for by the appellant are consequential to order dated 08.12.1987 and since there is no challenge to the said order and said order has become final, no relief can be granted to the appellant.



5. We find that there is no infirmity in the view taken by learned Single Judge and in absence of challenge to order dated 08.12.1987, no relief can be granted to the appellant.
6. We find no merit in the appeal. The appeal is accordingly, dismissed.

(SANJEEV SACHDEVA)
CHIEF JUSTICE

vibha

(VINAY SARAF)
JUDGE