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HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 2715 of 2017

- Dr. Vijendra Kumar Kashyap S/o Shri Krishna Chandra Kashyap, Aged About 30 Years R/o Dulari Nagar, Gali No. 3, Rudri, Dhamtari, District Dhamtari Chhattisgarh.

... Petitioner

versus

1. State Of Chhattisgarh Through Secretary, Department Of Health, And Family Welfare, Mahanadi Bhavan, Mantralaya, Naya Raipur, District Raipur Chhattisgarh.
2. Mission Director, National Health Mission, Chhattisgarh, Raipur, 4th Floor Chhattisgarh Grih Nirman Mandal Vyavsaik Parisar Sector- 27, Naya Raipur, District Raipur Chhattisgarh 492015.
3. Deputy Director, National Health Mission, Chhattisgarh, Raipur, 4th Floor Chhattisgarh Grih Nirman Mandal Vyavsaik Parisar Sector- 27, Naya Raipur, District Raipur Chhattisgarh 492015.
4. Chief Medical And Health Officer, District Dhamtari Chhattisgarh.

... Respondent(s)

For Petitioner	: Mr. Harshal Chouhan, Advocate
For State	: Mr. Abhishek Singh, Panel Lawyer
For Respondents No. 2 & 3	: Mr. Sahdev Yadav, Advocate holding the brief of Mr. C.J. K. Rao, Advocate

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

02.07.2026

1. By way of this petition, the petitioner has sought the following relief(s):-

“10.1 That, the Hon’ble Court by issuing appropriate writ quash the impugned order dated 25.04.2017 (Annexure P/1) passed by respondent no. 4.

10.2 That, the Hon'ble Court by issuing appropriate writ directs the concerned respondent authorities to make payment of salary of two months (April & May 2016) to the petitioner.

10.3 Any other relief (s) which this Hon'ble Court may think proper in view of the facts and circumstances of the case may also kindly be granted."

2. Mr. Chouhan would submit that the petitioner was appointed to the post of Consultant under the respondent No. 4. He would submit that the petitioner is a Medical Officer, who was appointed on contractual basis for period of one year vide order dated 15.05.2015. Mr. Chouhan, would submit that services of the petitioner were extended vide order dated 27.03.2017 up to 30.04.2017 and subsequently, it was extended up to 31.05.2017. He would contend that thereafter respondent No. 4 did not extend services of the petitioner. It is also contended that respondent No. 4 failed to make payment of salary/honorarium for period of two months i.e. for April, 2016 and May, 2016. It is contended that representation was made before the respondent No. 4 on 24.09.2016, but till date no decision has been taken.
3. On the other hand, learned counsel appearing for the State would submit that contractual period of the petitioner was not extended by the respondent No. 4. He would submit that the decision taken by respondent No. 4 is neither stigmatic nor punitive in nature and decision was taken strictly in accordance with Rule 11 of the Chhattisgarh Civil Services (Contract Appointment) Rules, 2012. He would submit that petition is misconceived and deserves to be dismissed.
4. I have heard learned counsel for the parties and perused the documents placed on record.

5. Admittedly, petitioner was appointed to the post of Consultant vide order dated 15.05.2015. His services were extended till 30th April, 2017, and thereafter, no decision was taken with regard to extension of services, and subsequently, a decision was taken vide order dated 25.04.2017 not to extend the services of the petitioner. The order dated 25.04.2017 (Annexure P/1) appears to be neither punitive nor stigmatic and after completion of contract period said decision was taken, and thus, order does not suffer from arbitrariness or illegality. Accordingly, the claim of the petitioner with regard to quashment of order dated 25.04.2017 appears to be misconceived and is hereby rejected.
6. It is also pleaded that the petitioner was not paid salary/ honorarium for month of April and May, 2016 and the representation was made to the respondent No. 4, but till date no decision has been taken. The respondent No. 4 is directed to take immediate decision on representation made by the petitioner with regard to payment of salary/ honorarium for month of April and May, 2016 within a period of 90 days from the date of receipt of copy of this order.
7. If it is found that salary/ honorarium for said period has not been paid to the petitioner, the respondent No. 4 shall make payment of salary/ honorarium to the petitioner forthwith.
8. With the aforesaid observation(s), and direction(s), the instant petition is hereby **disposed of**.

Sd/-
(Rakesh Mohan Pandey)
JUDGE