

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 1257 of 2015

- Narendra Pathak, S/o Shri Ramkumar Pathak, aged About 52 years, Assistant Grade II Block Education Office Mungeli District Mungeli (C.G.)

---- Petitioner

Versus

1. State Of Chhattisgarh, Through The Secretary, Education Department, Mahanadi Bhavan, Mantralaya, New Raipur, District - Raipur (C.G.)
2. District Education Officer Mungeli, District Mungeli (C.G.)
3. Chief Executive Officer, Mungeli, District Mungeli (C.G.)

---- Respondents

For Petitioner	Shri Ajay Shrivastava, Advocate
For Respondent/State	Shri A.V. Shridhar, PL

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

21/04/2015

Heard finally with the consent of learned counsel for the parties.

1. Learned counsel for the petitioner would submit that by the impugned order, the petitioner who is working as AG-II in the Office of Block Education Officer, Mungeli, District Mungeli (C.G.), has been attached to the Office of District Panchayat, Mungeli and minor punishment of stoppage of one increment without cumulative effect has also been passed.

2. It is putforth by the learned counsel for the petitioner that before passing the impugned order, opportunity of hearing has not been provided, therefore, the same is in violation of principles of natural justice.
3. A reading of the impugned order does not indicate that the petitioner has been heard before passing the impugned order, therefore, since the same appears to be in violation of the principles of natural justice, the order is set aside. However, the respondent No.2 would be at liberty to pass fresh order after giving opportunity of hearing to the petitioner.

JUDGE

Nirala