

HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(C) No. 880 of 2015

M/S Jugal Kishor Kesharwani Through-The Manager Jugal Kishore
Kesharwani, Aged-52 Years, S/o Late C.L.Kehsarwani, R/O
Gondpara, Bilaspur District-Bilaspur (C.G.)

---- Petitioner

Versus

1. State Of Chhattisgarh Through-The Secretary, Department of
Public Health & Family Welfare Mantralaya, Mahanadi Bhawan
Raipur
2. The Director, Health Service, Chhattisgarh H.Q.-Indrawati Bhawan
Naya Raipur
3. Civil Surgeon Cum Chief Hospital Superintendent, Durg, District
Durg (C.G.)

---- Respondents

For Petitioners	:	Mr.R.K.Kesharwani, Advocate.
For Respondents/State	:	Mr.B.Gopakumar, Deputy Advocate General

Hon'ble The Chief Justice
Hon'ble Shri Justice P. Sam Koshy

Order On Board

Per Navin Sinha, Chief Justice

29/06/2015

1. We have heard learned counsel for the petitioner and the respondents.
2. Despite previous order, no counter-affidavit has been filed.
3. The duration of the original contract will itself come to an end on 31.7.2015. An interim order has already been passed by the Court on 14.5.2015 staying operation of the order canceling the contract pre-maturely from 15.5.2015. The contract was cancelled under clause 22 of the Agreement by one months previous notice. No

reasons are mentioned in the order of cancellation. Even if the cancellation is held to be wrong, no relief can finally be granted to the petitioner beyond the period 31.7.2015. No useful purpose would be served by further adjourning the matter.

4. The writ petition is, therefore, disposed off with the observation that the tenure of the petitioner under the present contract shall come to an end on 31.7.2015. The interim order dated 14.5.2015 shall therefore remain operational only till 31.7.2015. The interim order cannot be interpreted or construed in any manner so as to operate beyond 31.7.2015 when it would automatically lose its efficacy under the original term of the contract. The respondents shall be at liberty to proceed for finalization of fresh contract in pursuance of the tender notice already issued by them.

The writ application is disposed.

Sd/-
(Navin Sinha)
Chief Justice

Sd/-
(P.Sam Koshy)
Judge

Bablu