

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 2638 of 2015

- Chandrika Prasad Rajwade S/o Dilbahal Ram, Aged About 42 years, Posted As Secretary, Gram Panchayat Korja, Janapd Panchayat Lakhanpur, District Surguja Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary Panchayat & Rural Welfare Department, Mahanadi Bhawan, Raipur Chhattisgarh
2. The Jila Panchayat Surguja Ambikapur Through The Chief Executive Officer, Jila Panchayat Surguja Ambikapur District Surguja Chhattisgarh
3. The Janpad Panchayat Lakhanpur, Through The Chief Executive Officer Janapad Panchayat Lakhanpur, District Surguja Chhattisgarh

---- Respondents

For Petitioner

Shri Mahesh Pandey, Advocate

For Respondent/State

Shri Sangharsh Pandey, Dy. GA

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

24/07/2015

1. With the consent of the learned counsel for the parties, the matter is heard finally.
2. The petitioner, Panchayat Secretary of Gram Panchayat Korja, Janpad Panchayat Lakhanpur, has assailed the order passed by the Jila Panchayat Surguja imposing penalty of stoppage of one increment without cumulative effect and posting the petitioner at the option of Chief Executive Officer, Janpad Panchayat Mainpat.

3. Admittedly, the petitioner's services are governed under the Panchayat Service (Discipline and Appeal) Rules, 1999. Section 15 thereof provides for an appeal against the order of punishment.
4. In view of the existence of alternative remedy, this petition is not maintainable. Accordingly, the writ petition is dismissed as not maintainable. However, the petitioner would be at liberty to avail the alternative remedy within a period of 30 days from today.

Sd/-

JUDGE

PRASHANT KUMAR MISHRA

Nirala