

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 193 of 2015

- Ramlal Gurjar S/o Shri Chhaggu Gurjar, Aged About 55 years, R/o Village Thadpathar, Police Station Chandni Biarpur, District Surajpur C.G.

---- Petitioner

Versus

1. State Of C.G. through the Principal Secretary Forest Department, Mahanadi Bhawan New Raipur C.G.
2. The Managing Director, District Union North Surguja Ambikapur, Surajpur, District Surajpur C.G.
3. President Prathmik Vanopaj Sahkari Samiti Maryadit, Vishalpur, Uttar Surguja Vanmandal, District Surguja C.G.
4. Shri Ramendra Pathak S/o Shri Ramanuj Pathak R/o Village Thadpathar, Police Station Chandni Biarpur, District Surajpur C.G.

---- Respondents

For Petitioner	: Shri Rakesh Pandey, Advocate
For Respondent/State	: Shri Shashank Thakur, Govt. Advocate
For Respondent No. 2& 3	: Shri A.S. Kachhawaha, Advocate

Hon'ble Shri Justice Prashant Kumar Mishra
Order On Board

16/06/2015

1. Petitioner has preferred this writ petition seeking direction to the respondent No.2, the Managing Director, District Union North Surguja Ambikapur, Surajpur, District Surajpur to pass the order allowing the petitioner to join on the post of Manager, Prathmik Vanopaj Sahkari Samiti Maryadit, Vishalpur, Uttar Surguja Vanmandal, District Surajpur together with all consequential benefits including arrears of salary etc. The prayer has been made on the ground that vide order dated 06/10/2008 passed by the Managing Director of District Union North Surguja, Ambikapur in exercise of power under Section 53(B) of the Chhattisgarh Co-operative Societies Act, 1960, the petitioner was removed from the post for a period of three years,

however, the petitioner has not been allowed to join on the post despite expiry of the said period of three years.

2. Shri Kachhawaha, learned counsel appearing for respondents No. 2 & 3 would submit that if the petitioner submits fresh representation to the said respondents, the prayer shall be considered, in accordance with law.

3. Learned counsel for the petitioner would submit that if the respondents are directed to decide the representation within a particular time frame, the writ petition may be disposed of.

4. In view of the statement made by learned counsel for the parties, the writ petition is disposed of with a direction that in the event petitioner submits fresh representation before the respondent No. 2 within a period of 15 days from today, the said respondent shall consider and decide the petitioner's representation within a further period of one month, by passing a reasoned order. The respondent No.2 may also afford personal hearing, if the petitioner so desires.

5. It is made clear that this Court has not expressed any opinion on the merits of the case and the respondent authorities shall decide the representation, on its own merits, strictly in accordance with law, without treating any observation made in this order, as opinion on the merits of the case.

JUDGE