

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3779 of 2015

- Ashok Kumari Sahare W/o Shri N.R. Sahare, Aged About 53 Years
R/o Village & Post Semra (Sihawa), Tahsil Nagri, Police Station
Sihawa, District Dhamtari, (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Scheduled Tribe
And Scheduled Caste Development Department, Mantralaya,
New Raipur, P.S. Rakhi, District Raipur, (Chhattisgarh)
2. The Commissioner, Scheduled Tribe And Scheduled Caste
Development Department, Block D, Ground Floor, Indravati
Bhawan, New Raipur, Raipur, District Raipur, (Chhattisgarh)
3. The Collector, District Dhamtari, (Chhattisgarh)

---- Respondent

For Petitioner	Mr. Prateek Sharma, Advocate
For Respondent /State	Mr. Dheeraj Wankhede, Government Advocate

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

16/10/2015

Heard.

(2) The order impugned by which the petitioner has been visited with the penalty of stoppage of four annual increments without cumulative effect has been passed by the Collector in exercise of powers under Rule 10(4) of the C.G. Civil Services (Classification, Control & Appeal) Rules, 1966.

(3) In view of the fact that the impugned order is appealable under Rule 23 of the aforesaid Rules, 1966, the writ petition is not maintainable as laid down by the Supreme Court in the matter of *Union of India and others vs. Major General Shri Kant Sharma and another*, (2015) 6 SCC 773.

(4) Accordingly, the writ petition is dismissed, as not maintainable. However, the petitioner would be at liberty to prefer an appeal within a period of 30 days from today.

Sd/-

Judge

(Prashant Kumar Mishra)

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