

HIGH COURT OF CHHATTISGARH, BILASPUR**WP (S) No.1721 of 2011**

Atmaram Vishal S/o. S.C. Vishal, aged about 47 years, Training Officer Grade-III, Industrial Training Institute, Kurud, Dhamtari R/o Village Sitapur, P.S. Rasoda, District-Mahasamund (CG)

---Petitioner**Versus**

1. The State of Chhattisgarh Through : The Secretary, Industrial/Training, D.K.S. Bhawan, Mantralaya, Raipur (CG)
2. The Director, Employment & Training, Directorate, Employment & Training, Byron Bazar, Raipur (CG)

---Respondents

For Petitioner	:	Mr.S.C.Verma, Advocate
For Respondents	:	Mr.A.V.Shridhar, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****04/01/2016**

1. The petitioner, who was serving as Training Officer in the Industrial Training Institute, Kurud, was inflicted with penalty by order dated 4.10.2010 (Annexure P/1) and directed to recover a sum of ₹ 50,000/- from the petitioner as loss caused to the Government and also directed for stoppage of one increment with non-cumulative effect, against which, this writ petition has been filed.
2. Learned counsel for the State would submit that order passed by the Director, Employment and Training is one of the penalty under Rule 10 of the Chhattisgarh Civil Services (Classification, Control and Appeal) Rules, 1966 and appeal lies under Rule 23

of the said Rules and therefore, present writ petition as framed and filed would not be maintainable.

3. Learned counsel for the petitioner would submit that the petitioner may be permitted to prefer an appeal before the Appellate Authority within 30 days from today.
4. The prayer appears to be fair and reasonable.
5. The petitioner is permitted to prefer an appeal before the Appellate Authority within 30 days from today. If such appeal is filed, the Appellate Authority will do well and decide the same within 60 days from the date of presentation of the appeal after hearing both the parties without being influenced by order of this Court.
6. With the aforesaid observation, the writ petition finally stands disposed of. Interim order relating to recovery is operating in favour of the petitioner since 30.5.2012, same shall remain in operation for a period of 60 days/till the appeal is decided. No order as to cost(s).

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-