

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 2807 of 2016

- Mahendra Kumar Yadav S/o Jagdev Ram, Aged About 41 Years R/o Village Vinayakpur, Post Manoharpur District Balrampur Ramanujganj Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary Department Of Panchayat & Rural Development, D.K.S. Bhawan, Raipur Chhattisgarh
2. The District Collector, The Collectors Office Balrampur Ramanujganj Chhattisgarh
3. The Chief Executive Officer, Janpad Panchayat Sankargarh, District Balrampur Ramanujganj Chhattisgarh
4. The Superintendent Of Police, Anticorruption Bureau, Bilaspur Chhattisgarh
5. Pahluram Kaushwaha, S/o Dashram, Aged About 24 Years R/o Village Sarna(Nouli), Post Raghunath Nagar, District Surguja Chhattisgarh
6. Harishchand Prasad Gautam S/o Shri Ram Prasad, Aged About 41 Years R/o Raghunathnagar, Tahsil Wadraf Nagar, P.S. Raghunathnagar, District Balrampur Ramanujganj Chhattisgarh
7. Lal Bahadur, S/o Late Munnalal, Aged About 37 Years R/o Village Sarna, P.S. Raghunathnagar, Tahsil Wadraf Nagar, District Balrampur Ramanujganj Chhattisgarh
8. Tarkeshwar Yadav, S/o Ram Vilas, Aged About 43 Years R/o Vilalge Rampur, P.S. Chalgali, District Balrampur Ramanujganj Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Shakti Raj Sinha, Advocate
For State	:	Mr. Gary Mukhopadhyay, Dy. GA

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order on Board

12-07-2016

- 1) Grievance of the petitioner is that he was appointed as Shikshakarmi vide Annexure P/1 (filed collectively) along with number of other persons including those whose names find place in the document Annexure P/4.
- 2) Learned counsel for the petitioner submits that after about 1½ years of service, the petitioner's service was terminated by an oral order along with other persons. Some of the persons filed writ petition before this

Court and thereafter, their representations were considered and they have been given appointment vide order dated 20.9.2013 & 8.10.2015 (Annexure P-4). He submits that purpose of filing this petition would be served if at this stage the petitioner is permitted to withdraw this petition with liberty to file representation before respondent No. 3 for similar relief. However, he prays for direction to respondent No. 3 to consider the case of the petitioner in the light of order dated 20.9.2013 passed in favour of five other similarly situated persons. He further submits that some time limit may also be fixed for respondent No. 3 to pass order.

- 3) State counsel has no objection if any such direction is issued to respondent No. 3. He, however, submits that the petitioner's case would be considered strictly in accordance with law subject to his suitability.
- 4) In view of above, the petitioner is permitted to withdraw this petition with the aforesaid liberty. In the eventuality of filing fresh representation along with copy of this order by the petitioner before respondent No. 3 within three weeks from today, it is expected from respondent No. 3 to pass appropriate order in accordance with law keeping in view the order dated 20.9.2013 & 8.10.2015 (Annexure P/4) as expeditiously as possible preferably within four months from the date of receipt of such representation.
- 5) Nothing in this order shall be construed as an expression of opinion of this Court on merits of the case and the competent authority shall be at liberty to decide representation of the petitioner in accordance with law.

Sd/-
(Manindra Mohan Shrivastava)
JUDGE