

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

Writ Petition (S) No. 36 OF 2016

Smt. Bimala Aanchale aged about 32 years D/o late Shri B.S. Aanchale resident of Birsingtola Post Kumhali Tahsil and Police Station Mohala District Rajnandgaon (CG) Presently resided at Ward No.5 Chikhali Khairagah Road Police Station Chikhali District Rajnandgaon (CG)

---Petitioner

Versus

1. The State of Chhattisgarh through the Secretary Department of Agriculture New Mantralaya Mahanadi Bhawan Raipur (CG)
2. Directorate (Agriculture) Directorate of Agriculture Chhattisgarh Raipur District Raipur (CG)
3. Joint Director (Agriculture) Department of Agriculture Raipur Division Raipur (CG)
4. Deputy Director (Agriculture) Rajnandgaon District Rajnandgaon (CG)
5. Sub Divisional Officer (Agriculture) Khairagarh District Rajnandgaon (CG)

----Respondents

For Petitioner	:	Mr. Malay Kumar Bhaduri, Advocate
For Respondents	:	Mr. Yashwant Singh Thakur, Deputy Advocate General

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

11/01/2016

1. Learned counsel for the petitioner would submit that statutory appeal filed by the petitioner has been dismissed as barred by 22 days of its limitation.
2. It appears that since the appeal was not accompanied with the application for condonation of delay, the appeal has been dismissed as barred by limitation.
3. Be that as it may ends of justice would be served if the impugned order is set aside and the matter is remanded back to the State Government with a direction that if the petitioner prefers an appeal along with application for condonation of delay, the Appellate Authority would do well to consider the application for condonation of delay in preferring the appeal because the matter shall remain pending before this Court and also decide the appeal within a period of three months from the date of receipt and/or production of certified copy of this

order as the appeal preferred against the dismissal of the petitioner from service.

4. With the aforesaid direction, the writ petition stands finally disposed off. It is made clear that this Court has not expressed any opinion on the merit of the case.

Sd/-

(Sanjay K. Agrawal)
JUDGE

Tiwari