

HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION (S) NO. 258 OF 2017

- N.K. Pal S/o Late C.P. Pal, Aged About 55 Years, Working as Assistant Engineer, at Office of Executive Engineer, C.S.P.D.C.L. Narayanpur, District Narayanpur (Chhattisgarh), R/o Beauty Glamour Parlour Gali, Near Shree Vihar, Sarkanda, Bilaspur, District Bilaspur, (Chhattisgarh)

... Petitioner

Versus

1. The Chhattisgarh State Power Distribution Company Limited, through Managing Director, Chhattisgarh State Power Distribution Company Limited, Daganiya, Raipur, District Raipur (Chhattisgarh)
2. Executive Director, Chhattisgarh State Power Distribution Company Limited, Tifra, Bilaspur, District Bilaspur (Chhattisgarh)

... Respondents

For Petitioner : Mr. R.K. Kesharwani, Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

21/03/2017

1. Grievance of the Petitioner in the present writ petition is the order dated 18/19.5.2015 (Annexure P-1) whereby the Petitioner has been imposed with a punishment of stoppage of two annual increments with non-cumulative effect.
2. Counsel for the Petitioner submits that against the said order, he has made a representation before the Executive Director vide letter dated 16.8.2016 (Annexure P-5) but no decision on the same has been made by the authorities concerned.
3. Needless to mention that the impugned order Annexure P-1 is an appealable order. Appeal has to be preferred before the appellate authority. Annexure P-5 does not reflect it to be an appeal to the appellate authority.
4. In view of the same, this Court is not inclined to entertain the present writ petition at this juncture and the same is being disposed of, with a liberty to the Petitioner that, if he so chooses, he may prefer a fresh appeal to the appellate authority against the impugned order of punishment. In the event of an appeal being preferred, the appellate authority in turn shall consider and

decide the same on its merits in accordance with the law. It is further observed that in the event of an appeal being preferred within a period of three weeks from today, the question of limitation in the preferring of appeal should not come as the Petitioner had immediately made a representation before the Executive Director vide Annexure P-5, dated 16.8.2016, and which is also pending.

5. With the aforesaid observations, the writ petition stands finally disposed of.

Sd/-
(P. Sam Koshy)
JUDGE

/Sharad/