

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 416 of 2017**

- Alok Kumar Verma S/o Late Shri B. S. Verma, Aged About 61 Years Presently Working As Assistant Engineer R/o 558 Sai Nagar, Near Pawan Putra School, Johara Raipur, (Chhattisgarh)

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Agriculture, Mahanadi Bhawan, Naya Raipur, District Raipur, (Chhattisgarh)
2. Indira Gandhi Agricultural University, Through: Its Registrar, Krishak Nagar, Raipur, (Chhattisgarh)
3. The Vice Chancellor Indira Gandhi Agricultural University, Krishak Nagar, Raipur, (Chhattisgarh)
4. Shri Yashwant Sahu, S. D. O. Presently Working As Incharge Executive Engineer Indira Gandhi Agriculture University, Krishak Nagar, Raipur, (Chhattisgarh)

---- Respondents

For Petitioner:	Dr. N.K. Shukla, Sr. Advocate along with Mr. P.N. Patankar, Advocate
For State :	Mr. S.P. Kale, Dy. Advocate General
For Respondents 2 &3:	Mr. Shashank Thakur, Advocate
For Respondent 4:	Mr. Prateek Sharma, Advocate

Hon'ble Shri Justice P. Sam Koshy**Order on Board****23.02.2017**

1. The Present Petition has been filed by the Petitioner seeking for quashment of the order dated 12.02.2016 passed by the Under Secretary, Agricultural Department Raipur (C.G.) whereby the Respondent No.4 has been made in-charge, Executive Engineer in the Respondent No.2 University.
2. Learned Counsel for the Petitioner submits that in the Respondent No.2 establishment the Service Rules of the State Government and Guidelines issued by State Government are

applicable governing the service conditions of the employees. According to the Counsel for the Petitioner, the Petitioner being senior most functionary has not been made, in-charge, Executive Engineer instead Respondent No.4 has been made in-charge who is much junior to the present Petitioner. He has already moved his representation to Respondent No.3, the Vice Chancellor of Respondent No.2 University which is pending consideration. He further prays that he may be permitted to withdraw the present Writ Petition with liberty to approach the Vice Chancellor with another fresh detailed representation who in turn may be directed to consider the case of the Petitioner and decide the same expeditiously. With the said observation the Petition may be disposed off accordingly.

3. The prayer of the Petitioner is not opposed by the Counsel appearing for the Respondent State as well as the University. However, learned Counsel for Respondent No.4 opposing the Petition submits that it is a case where the Petitioner has deliberately been not considered for the said post. According to him there are disciplinary matters pending against the Petitioner with serious allegations for which he may not be considered. Therefore, the present Petition deserves to be dismissed.
4. In view of the submissions of the Counsel for the Petitioner, the present Writ Petition stands dismissed as withdrawn. The Petitioner may approach Respondent No.3 by filing a fresh detailed representation in addition to the representation already pending consideration.

5. It is directed that if the said representation of the Petitioner is received within a period of 10 days from today, Respondent No.3 shall take a prompt decision on the said representation as early as possible particularly taking note of the fact that very short period of the service of the Petitioner is further left.

Sd/-

(P. Sam Koshy)
JUDGE

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