

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 2598 of 2017**

- Chandrashekhar Goswami S/o Late Arjun Giri Goswami, Aged About 30 Years Working As Driver, Posted In The Office Of Executive Engineer, Public Works Department, Champa Division, District Janjgir Champa (Chhattisgarh)

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Public Works Department, Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur (Chhattisgarh)
2. The Superintending Engineer, Public Works Department, Bilaspur Division, District Bilaspur (Chhattisgarh)
3. The Executive Engineer, Public Works Department, Champa Division, District Janjgir Champa (Chhattisgarh)
4. The Sub Divisional Officer- Cum- Election & Registration Officer, Champa District Janjgir Champa, Chhattisgarh.
5. Smt. Saraswati Banjare, Posted As Tahsildar, Tahsil Office, Champa, District Janjgir Champa (Chhattisgarh)

---- Respondents

For Petitioner:

Mr. V.R. Tiwari, Advocate

For State:

Mr. Neeraj Jain, Government Advocate

Hon'ble Shri Justice P. Sam Koshy**Order on Board****16.06.2017**

1. The sole grievance of the Petitioner is that though he has been discharging his duties but he has not been paid his salary since April, 2017.
2. The contention of the Petitioner is that the Respondent authorities have withheld salary for the reason that on an earlier

occasion during the election time the Petitioner is said to have not submitted the logbook in respect of the vehicle that he was engaged for driving which the Petitioner denies and submits that he has infact submitted the logbooks.

3. Upon a specific query put to the Counsel for the Petitioner, he submits that even as on date the Petitioner is discharging his duties.
4. In the given facts and circumstances of the case, if the Petitioner is discharging his duties, then this Court does not find any reason why the Petitioner should be denied of his salary. In the event if there is any allegation of misconduct on part of the Petitioner, the Respondent authorities are free to initiate proceedings against him in accordance with the Rules governing the filed. In the case of Petitioner, neither any show cause notice has been issued nor any disciplinary action has been initiated.
5. Accordingly, ends of justice would be served if the present Writ Petition is disposed off with a direction to the Respondent No.3 to take immediate steps ensuring that in the event the Petitioner is discharging his duties since April, 2017, appropriate steps be taken for the release of the salary to the Petitioner.
6. It is further made clear that in the event if the Respondents find that the Petitioner is involved in any sort of misconduct, they shall be free to take action against him in accordance with rules.
7. Let appropriate decision be taken by Respondent No.3 within a

period of 2 months from the receipt of certified copy of this order.

8. The present Writ Petition accordingly stands allowed and disposed off.

Sd/-
(P. Sam Koshy)
VACATION JUDGE

kishore