

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 2109 of 2017**

- Rajesh Kumar Patel S/o Shri Phoolchand Patel, Aged About 35 Years R/o. Village Tilgee, P. S. Pusour, District Raigarh (Chhattisgarh)

---- Petitioner**Versus**

1. State of Chhattisgarh Through : Secretary, Panchayat Awam Gramin Vikas Vibhag, Mahanadi Bhawan, Naya Raipur (Chhattisgarh)
2. Collector, Raigarh, District Raigarh (Chhattisgarh).
3. Chief Executive Officer, Zila Panchayat Raigarh, District Raigarh (Chhattisgarh)
4. Chief Executive Officer, Janpad Panchayat Pusour, District Raigarh (Chhattisgarh)
5. Block Education Officer, Janpad Panchayat Pusour, District Raigarh (Chhattisgarh)

---- Respondent

For Petitioner	:	Ms. Meena Shastri, Advocate
For Respondents-State	:	Shri Shashank Thakur, GA for the State

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****04/05/2017**

1. Learned counsel for the petitioner would submit that the petitioner has been removed from service for remaining unauthorizedly absent for a long period, however, before passing the impugned order no enquiry was held as contemplated under the Chhattisgarh Panchayat (Discipline & Appeal) Rules, 1999 (for short 'the Rules, 1999') read with the provisions contained in Chhattisgarh Teacher (*Panchayat*) *Cadre (Recruitment and Conditions of Service) Rules, 2012*. Although there is some delay in filing the writ petition,

however, learned counsel for the petitioner would explain that the petitioner was not keeping good health, therefore, he could not take steps within time.

2. Having considered the submission made by learned counsel for the petitioner, the writ petition is disposed of with direction that in the event, the petitioner prefers an appeal before the appellate authority under the Rules, 1999 read with the Chhattisgarh Panchayats (Appeal and Revision) Rules, 1995 within a period of 30 days from today, the appellate authority shall consider and decide petitioner's appeal on merits, by a speaking order, without raising objection as to the limitation.

Sd/-

Judge

Prashant Kumar Mishra

Ashu