

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****Writ Petition No. 3974 of 2004**

R.K. Hiranwar, Aged about 44 years, S/o Late Shri K.D. Hiranwar, R/o P.O. Dharampur, Tahsil and Distt. Jagdalpur (C.G.)

---- **Petitioner****Versus**

1. Chhattisgarh Rajya Van Vikas Nigam, Through Managing Director, D-252-253, Sector-5 Devendra Nagar, Raipur.
2. Managing Director, Chhattisgarh Rajya Van Vikas Nigam, D-252-253, Sector-5, Devendra Nagar, Raipur.
3. Divisional Manager, Antagarh, Project Division, Bhanupratappur, Distt. Kanker (C.G.)

---- **Respondents**


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For Petitioner : Mr. Parag Kotecha, Advocate.  
 For Respondents : Mr. B.D. Guru, Advocate.

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**Hon'ble Shri Justice Sanjay K. Agrawal****Order On Board****27/06/2017**

Heard.

(1) Learned counsel for the petitioner would submit that while deciding the appeal, the Managing Director; respondent No. 2 herein has not considered the grounds raised in the appeal and the cryptic and non-speaking order has been passed in the appeal, which is liable to be set aside.

(2) Per contra, counsel for the respondent would support the order impugned.

(3) I have heard learned counsel appearing for the parties and perused the order impugned with utmost circumspection.

(4) It is true that the appellate authority has not dealt with the grounds raised the appeal while deciding the appeal; and has also not considered the evidence and the material available on record in the departmental enquiry and, therefore, the order impugned is liable to be and is hereby set aside. The matter is remitted back to respondent No. 2- Managing Director, who in turn shall pass the order afresh after considering the grounds raised in the appeal and the evidence & material available on record expeditiously preferably within a period of three months from the date of receipt of copy of this order.

(5) Accordingly, the writ petition is allowed to the extent indicated hereinabove.

Sd/-

(Sanjay K. Agrawal)  
Judge

D/-