

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 2582 of 2017

Vijayendra Gabel S/o Shri Sunder Lal Gabel Aged About 33 Years R/o Village Navaparakhurd, Post Nandaurkhurd,, Tehsil- Sakti, Distt. Janjgir-Champa, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Panchayat And Rural Development, Department, Mahanadi Bhawan, Naya Raipur, Distt. Raipur, Chhattisgarh.
2. The Collector, Janjgir-Champa, Distt. Janjgir-Champa, Chhattisgarh.
3. Chief Executive Officer And Additional District Program Co-Ordinator, Janjgir-Champa, Distt. Janjgir-Champa, Chhattisgarh.

---- Respondents

For Petitioner	:	Shri Basant Dewangan, Advocate
For State/Res. No. 1 & 2	:	Shri Satish Gupta, Govt. Advocate
For Res. No.3	:	None appears despite service of notice

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

04/10/2017

Heard.

1. By this petition, the petitioner has assailed correctness and validity of order dated 26.5.2017 (Annexure P-1) by which the contractual appointment of the petitioner has been terminated.
2. Learned counsel for the petitioner submits that the termination of services of the petitioner is illegal and arbitrary because the petitioner had duly submitted certificate of experience of having worked as Data Entry Operator and it was for the respondent to be vigilant while scrutinizing the experience and qualification of the petitioner. It is submitted that the petitioner had not suppressed any information.
3. It is not in dispute that the petitioner was a contractual employee and had no

right to hold the post. His services may be terminated by giving a month's notice. This has been done in the present case.

4. The reason operative is that experience gained by the petitioner as Data Entry Operator was prior to obtaining qualification of Post Graduate Diploma in Computer Application (PGDCA).
5. It is, therefore, clear that in terminating the services of the petitioner, no illegality has been committed. He was afforded an opportunity of hearing and his reply was obtained and thereafter services have been terminated giving a month's notice.
6. Therefore, no case is made out. The petition deserves to be and is accordingly dismissed.

Sd/-
(Manindra Mohan Shrivastava)
Judge