

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition No. 6423 of 2006**

Umashankar Jangde, S/o Shri Narad Ram, Aged about 20 years, R/o
Sirsida, Post Khamharia, Tahsil Nagri, District Dhamtari (C.G.)

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

1. State of Chhattisgarh, through: Secretary Panchayat Department,
D.K.S. Bhawan, Raipur (C.G.)
2. Collector, Dhamtari, Distt. Dhamtari (C.G.)
3. Chief Executive Officer, Zila Panchayat Dhamtari, District Dhamtari
(C.G.)
4. Durgesh Kumar Jangde, S/o Shri Shobhit Ram Jangde, aged about 22
years, R/o Sirsida, Post Khamharia, Tahsil Nagri, District Dhamtari
(C.G.)

---- **Respondents**

For Petitioner : Mr. R.K. Jain, Advocate.
For State : Mr. Arvind Dubey, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****05/12/2017**

(1) The petitioner was appointed on the post of Gram Rojgar Sahayak for the period of one year by order dated 26.08.2006 but that order was revoked by subsequent order dated 27.10.2006 finding him less meritorious, against which instant writ petition has been filed questioning the same.

(2) Learned counsel for the petitioner would submit that the petitioner was not given even notice of one month or salary of one month before terminating him from the services as provided in the order of appointment, therefore, impugned order is unsustainable and bad in law.

(3) Per contra, counsel for the State would support the impugned order and

submit that the order impugned is strictly in accordance with law which does not call for any interference in the instant writ petition.

(4) I have heard learned counsel appearing for the parties and also considered their rival submissions made hereinabove and also gone through the record with utmost circumspection.

(5) Admittedly, the period of one year from 26.08.2006 has already expired, therefore, relief of reinstatement can not be considered and granted to the petitioner but as per Clause 5 of the impugned order dated 26.08.2006, the petitioner is entitled for one month salary as without giving prior notice of one month, his services has been dispensed with.

(6) Consequently, the writ petition is allowed in part. It is held that the petitioner is entitled for one month salary. No cost(s).

Sd/-

(Sanjay K. Agrawal)
Judge

D/-

