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HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 1234 of 2015**

- Vedprakash Pandey S/o Shri Bhukhan Lal Pandey, Aged About 42 Years R/o Village Deshvaripuram Pancham Colony, Police Station Pendra, Tahsil & Post Pendra, Civil & Revenue District Bilaspur, (Chhattisgarh)

---- Petitioner**Versus**

1. State Of Chhattisgarh, Through: Secretary Panchayat & Rural Development Department Mantralaya, Mahanadi Bhawan, Police Station Rakhi, New Raipur, (Chhattisgarh)
2. Chairman, Backward Region Gramin Fund Panchayat & Rural Development Department, Mantralaya, Mahanadi Bhawan, Police Station, Rakhi, New Raipur, (Chhattisgarh)
3. Commissioner, Office Of The Commissioner, Mungeli Naka, Bilaspur, Police Station Civil Line Bilaspur, District Bilaspur, (Chhattisgarh)
4. Collector, Office Of The Collectorate, Police Station- Civil Line Bilaspur, District Bilaspur, (Chhattisgarh)
5. Chief Executive Officer, Office Of Jila Panchayat, In Front Of District Court, Bilaspur, Police Station, Civil Line, Bilaspur, District Bilaspur, (Chhattisgarh)

---- Respondent

For Petitioner	Mr. Abhishek Pandey, Advocate
For Respondent /State	Ms. Sunita Jain, Panel Lawyer
For Respondent No.5	Mr. Akhilesh Kumar, Advocate

Hon'ble Shri Justice Prashant Kumar Mishra
Order On Board

3/4/2017

1. Heard.
2. The petitioner was appointed as Assistant Project Officer on contract basis in the Jila Panchayat, Bilaspur. By the order dated 02.08.2013, the petitioner's service was dispensed with on certain allegations. The

said order was set-aside by the Commissioner, Bilaspur Division vide order dated 06.01.2014 (Annexure P/19) and thereafter, a review petition preferred by the respondents was dismissed by the Additional Commissioner on 07.07.2014. The respondents did not prefer any further appeal or writ petition to challenge the order -Annexure P/19 or the order passed under review jurisdiction, therefore, the order has attained finality.

3. In this petition, the petitioner would pray for a direction to the respondents to allow him to join as Assistant Project Officer (BRGF) in compliance of the appellate order passed by the Commissioner, Bilaspur Division, together with payment of the entire salary from the date of the order- Annexure P/19 passed by the Commissioner till the date of his joining.
4. It is submitted by learned counsel for the petitioner that the BRGF programme was discontinued for sometime, but now it has been continued with the funds made available by the State Government. He would refer to the documents filed before this Court along with covering memo dated 21.7.2015.
5. On the other hand, learned counsel for the State and learned counsel for respondent No.5 as well, would submit that the BRGF programme was funded by the Central Government which has been withdrawn at the end of Financial Year 2014, therefore, the petitioner is not entitled for any relief.
6. Considering the documents filed by the petitioner particularly the letter issued by the Jila Panchayat, Bilaspur dated 01.07.2015 as also the letter issued by the State Government on 30.5.2015 pertaining to Dhamtari District, it appears the BRGF scheme was made over or

handed over to the State Government w.e.f. January 2014 onwards and the operations through the scheme has not been closed for ever.

7. It appears the Central Government only stopped funding for the scheme but the scheme itself was never wound up but was made over to the State Government and therefore, the State Government continued to provide budgetary support to the scheme w.e.f. January 2014 onwards.
8. Considering the entire facts' situation of the case, the writ petition is disposed of with direction to the Jila Panchayat, Bilaspur to allow the petitioner to join on the post, on which, he was working on 02.08.2013, when his services were discontinued, but the said order dated 02.08.2013 has been set-aside by the Commissioner, Bilaspur Division on 06.01.2014.
9. Let the joining be provided by the petitioner within 03 weeks from today. So far as payment of salary from 06.01.2014 to the date of joining is concerned, the petitioner shall submit a representation before the respondent authorities and the same shall be decided by the concerned Jila Panchayat, at the earliest, preferably, within a period of 03 months from the date of submission of representation.

Sd/-

Judge

(Prashant Kumar Mishra)

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