

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 4530 of 2017

Pramod Kumar Seth S/o Shri Rajendra Saini, Aged About 36 Years R/o Batthi Road, Ambikapur, Tehsil Ambikapur, District Surguja, Chhattisgarh.

---- Petitioner

Versus

1. Chhattisgarh State Power Distribution Company Ltd. Through Its Mananging Director, Danganiya, Raipur, District Raipur, Chhattisgarh.
2. Chief Engineer (O & M) Chhattisgarh State Power Distribution Company Ltd. Ambikapur Region, Ambikapur, District Surguja, Chhattisgarh.
3. Assistant Chief Engineer (O & M) Chhattisgarh State Power Distribution Company Ltd. Circle Ambikapur, District Surguja, Chhattisgarh.
4. Executive Engineer (O & M), Chhattisgarh State Power Distribution Company Ltd., Division Balrampur Balrampur District Balrampur, Chhattisgarh.
5. Assistant Engineer (O & M) Chhattisgarh State Power Distribution Company Ltd. Wadraf Nagar Balrampur District Balrampur Chhattisgarh.

---- Respondents

Shri R.S.Baghel, counsel for the petitioner/s.
Shri B.D.Guru, counsel for the respondents.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

14/12/2017

The only grievance of the petitioner is that when the petitioner submitted his joining on 16/05/2017, he was not allowed to join.

2. Learned counsel for the respondent would submit that a letter has been issued to the petitioner on 12/06/2017 by the Executive Engineer to submit character verification certificate along with medical fitness certificate. Therefore, decision with regard to joining shall be taken only after submitting those certificates.
3. The petitioner was working in the establishment of the department of the

respondents. He was arrested on certain criminal case and after his release on bail, he submitted his joining on 16/05/2017.

4. Learned counsel for the respondent could not point out any provision of the service rules which provide that in case, an employee is arrested and then released on bail, his joining shall be subject to production of character verification certificate or medical fitness certificate. The reason assigned in memo dated 12/06/017 does not appear to be in accordance with the rules applicable. Therefore, the petitioner's joining could not be denied. Therefore, his joining shall be considered as on 16/05/2017 and thereafter, the respondent authority may proceed in accordance with the rules.

5. The petition is accordingly finally disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge