

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 2141 of 2017**

- Prabhakar Mishra S/o D. D. Mishra, Aged About 45 Years Presently Posted As Lecturer, Government Engineering College, Jagdalpur, District Bastar (Chhattisgarh).

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Department Of Technical Education, Mantralaya, Mahanadi Bhawan, Capital Complex, New Raipur, District Raipur (Chhattisgarh).
2. Director, Directorate Technical Education, Indrawati Bhawan, Raipur (Chhattisgarh).
3. Government Engineering College, Jagdalpur, Through Its Principal, Jagdalpur (Chhattisgarh).

---- Respondent

For Petitioner : Shri Rahul Tamaskar, Advocate.
For Respondents : Shri Satish Gupta, Govt. Advocate.

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****05/05/2017**

1. The petitioner is seeking quashment of the order (Annexure-P/1) dated 24.4.2017 passed by respondent No.3, Principal, Government Engineering College, Jagdalpur whereby his contract service has been terminated upon dismissal of the petitioner's writ petition (S) No.2462/2014.
2. It is argued that WPS No.2462/2014 was preferred seeking

regularization, therefore, even if the petition is dismissed against which Writ Appeal is pending before the Division Bench, contract service could not have been terminated before expiry of the term of contract.

3. Indisputably, the petitioner's earlier writ petition seeking regularization and quashment of the advertisement for recruitment on regular basis has been dismissed by the coordinate Bench mentioning that all the interim orders passed in the said writ petition are vacated. If his contract appointment has been cancelled, appropriate remedy for the petitioner would lie in moving the Division Bench seeking interim relief in the matter and the separate writ petition is not maintainable.
4. In view of the above, the writ petition is dismissed as not maintainable reserving liberty in favour of the petitioner to move appropriate application in the pending writ appeal.

Sd/-
Judge
(Prashant Kumar Mishra)

Barve