

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 6747 of 2017

- Sevti Chandra W/o Gulshan Chandra Aged About 37 Years Village Beladula, Baradwar Road, Beside Bhagwati General Store, Post Beladula, Police Station And Tahsil Jaijaipur, District Janjgir Champa Chhattisgarh.

---- Petitioner

Versus

1. The State Of Chhattisgarh Through The Secretary Health Department, Janjgir Champa, District Janjgir Champa Chhattisgarh.
2. District Collector/District Magistrate, Janjgir Champa, District Janjgir Champa Chhattisgarh.
3. Chief Medical And Health Officer, District Janjgir Champa Chhattisgarh.
4. The Block Health Officer, Primary Health Center, Jaijaipur District Janjgir Champa Chhattisgarh.
5. Thr Mitandin Programme District Co-ordinator District Janjgir Champa

---- Respondents

For Petitioner	Shri S. C. Verma, Advocate
For Respondent-State	Shri Sangharh Pandey, Dy. GA

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

05/12/2017

1. Learned counsel for the petitioner would submit that by impugned order passed by the Block Medical Officer, Community Health Centre, Jaijaipur, the petitioner who is working as Mitandin Trainer has been removed from service without giving proper opportunity of hearing.

2. Learned State counsel would submit that the document filed with the writ petition would indicate that the petitioner was provided sufficient and proper opportunity of hearing. He would also submit that the petitioner should have made representation to the Higher Authorities instead of rushing to this Court.
3. Considering the fact that the order has been passed by the BMO, CHC, Jaijaipur and not by the District Head of the concerned department, ends of justice would be served if the petition is disposed of with direction that the petitioner shall submit a representation before the Chief Medical and Health Officer, Janjgir-Champa within a period of 15 days from today and thereafter the said CMHO shall decide the petitioner's representation by a speaking order, at the earliest, preferably within a period of 3 months from the date of submission of representation.
4. Accordingly, the writ petition is disposed of with the aforesaid direction.
5. It is made clear that this Court has not expressed any opinion on the merits of the case and the respondent authorities shall decide the matter, on its own merits, strictly in accordance with law, without treating any observation made in this order as opinion on the merits of the case.

Sd/-

Judge
Prashant Kumar Mishra

Nirala