

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION (S) NO. 1303 OF 2017

Rajpati Pandey S/o Laldhar Pandey, Aged About 55 Years, Senior Assistant,
Chhattisgarh State Cooperative Federation Limited, District Surguja (C.G.)

... Petitioner

Versus

1. The State of Chhattisgarh, Through: The Secretary, Department Of Cooperative Societies, Mahanadi Bhawan, Naya Raipur And District Raipur (C.G.)
2. Managing Director, Chhattisgarh State Marketing Federation 880, Civil Lines, Head Office, Raipur, District Raipur, (Chhattisgarh)
3. The Secretary, Chhattisgarh State Marketing Federation 880, Civil Lines, Head Office, Raipur, District Raipur, (Chhattisgarh)
4. The Manager (Establishment), Chhattisgarh State Marketing Federation 880, Civil Lines, Head Office, Raipur, District Raipur, (Chhattisgarh)
5. District Marketing Officer, MARKFED, Kisan Rice Mill Campus, Namnakala, Ambikapur (Chhattisgarh)

... Respondents

For Petitioner	:	Mr. A.K. Prasad, Advocate.
For Respondent No.1	:	Mr. B. Gopa Kumar, Dy. Advocate General
For Respondents No. 2 to 5	:	Mr. Prafull Bharat and Mr. Akash Pandey, Advocates.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

21/03/2017

1. Challenge in the present writ petition is to the order dated 4.3.2016 (Annexure P-1) whereby the punishment of stoppage of two increments with cumulative effect has been passed against the Petitioner, along with an order for recovery.
2. This Court at the outset is not inclined to entertain the present writ petition, for the reason that the impugned order is an appealable order under the rules governing the service conditions of the Petitioner. In addition, there is also an alternative remedy available to him under the Cooperative Societies Act.
3. Since the Petitioner has an alternative remedy of appeal in the department, the present writ petition is disposed of, with a liberty to the Petitioner that, if he so chooses, he may prefer an appeal to the appellate

authority who in turn shall decide the same in accordance with the rules. The Petitioner would also be at liberty to make an application before the appellate authority seeking for keeping in abeyance the order of recovery pending the appeal.

4. With the aforesaid observation, the present writ petition stands finally disposed of.

Sd/-
(P. Sam Koshy)
JUDGE

/sharad/