

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1308 of 2017

- Geeta Bai Baghel W/o Santram Baghel, Aged About 45 Years R/o Gram Panchayat Pendravan, Janpad Panchayat Bilaigarh, District Balodabazar Bhatapara (Chhattisgarh).

---- Petitioner

Versus

1. State Of Chhattisgarh Through Collector, District Balodabazar Bhatapara (Chhattisgarh).
2. Chief Executive Officer, Janpad Panchayat Bilaigarh, District Balodabazar- Bhatapara (Chhattisgarh).

---- Respondents

For Petitioner	:	Shri Manoj Paranjpe, Advocate
For State	:	Shri Dhiraj Wankhede, Govt. Advocate
For Caveator	:	Shri R.S. Patel, Advocate

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

10/05/2017

1. Heard.
2. This petition has been filed by the petitioner challenging the legality and validity of the order dated 28/04/2017, by which the petitioner's application for stay has been rejected.

Learned counsel for the petitioner submits that the petitioner was removed from the office on certain allegation which was not properly verified. He submits that petitioner filed an appeal and also prayed for stay before the Collector, but the Collector has rejected the stay application.

3. After going through the order passed by the Collector, I find that it does not decide the issue on merit. Considering the gravity of allegation that the petitioner has been disqualified for the post on certain allegation of financial irregularities, application for stay has been rejected. To my mind, it is sufficient to uphold the order of the Collector. I do not find

any jurisdictional error or illegality committed by the Collector while rejecting the application for stay, at this stage. Keeping in mind that the petition has not been decided on the merits and appeal is still pending. Moreover, it being a case of removal interim reliefs are normally not granted. Therefore, I am not inclined to interfere with the order of Collector, the petition is dismissed. The Collector shall do well to decide the matter on merits as early as possible.

Sd/-

(Manindra Mohan Shrivastava)
Judge

Kamde