

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 5346 of 2017

Sanjiv Kumar Mishra S/o Shri Prabhu Narayan Mishra, Aged About 39 Years
Working On The Post Of Panchayat Secretary, Village Panchayat Murma,
R/o Village Katkona, P.S. Patna, District Koriya, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary Panchayat And Rural Development Department, Mahanadi Bhawan, Naya Raipur, District Raipur, Chhattisgarh
2. Director Panchayat Raipur, District Raipur, Chhattisgarh
3. Collector Koriya, District Koriya, Chhattisgarh
4. Chief Executive Officer, Zila Panchayat Koriya, District Koriya, Chhattisgarh
5. Chief Executive Officer, Janpad Panchayat Baikunthpur, District Koriya, Chhattisgarh
6. General Administration Committee, Through Its President Zila Panchayat Baikunthpur, District Koriya, Chhattisgarh
7. Village Panchayat Murma, Through The Sarpanch Murma, P.S. Patna, District Koriya, Chhattisgarh

---- Respondents

Shri V.K.Pandey, counsel for the petitioner/s.
Shri S.P.Kale, Dy.A.G. for the State / respondents 1 to 3 and 6.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

13/11/2017

This petition was filed by the petitioner seeking a direction to consider petitioner's case for revocation of suspension order within a stipulated period.

2. This Court noticed that earlier writ petition filed by the petitioner was disposed off with a direction for consideration of his appeal. This Court further noticed that despite repeated orders, the appeal was not decided and therefore, an explanation

was sought from respondent No.6 as to why petitioner's appeal has not been decided despite order of the Court. Personal appearance was also ordered. Now an affidavit has been filed and President of the General Administration Committee – Smt. Kalawati Markam is also present in the Court.

3. From the contents of the affidavit, it is found that petitioner's appeal was decided by the General Administration Committee and the respondents have also placed on record order dated 09/06/2017.

Learned counsel for the petitioner submits that this order was never communicated to him whereas learned counsel for the respondents submits that this order was communicated.

4. Be that as it may, considering that this petition was filed after issuance of order dated 09/06/2017 without challenging the legality and validity of this order, this petition cannot proceed further. Therefore, at this stage, this petition is disposed off with liberty to the petitioner to challenge, if so advised, order dated 09/06/2017, dismissing his appeal. Presence of respondent No.6 is exempted.

Sd/-
(Manindra Mohan Shrivastava)
Judge