

HIGH COURT OF CHHATTISGARH, BILASPUR

ORDER SHEET

WP(S) No. 7074 of 2016

Sanjay Kumar Gupta S/o Late Shri R. P. Gupta, Aged About 51 Years Presently Posted As Principal, District Education and Training Institution, Baikunthpur, Distt.. Koriya (Chhattisgarh).

---- Petitioner

Versus

1. State of Chhattisgarh Through Its Secretary, Department Of School Education, Ministry At Mahanadi Bhawan, New Raipur, P.S. Rakhi, Distt. Raipur (Chhattisgarh).
2. Director , Directorate of Public Education, Indrawati Bhawan, New Raipur, Distt. Raipur, (Chhattisgarh)
3. Director, State Council of Educational Research and Training, Shankar Nagar, Raipur, Distt. Raipur, (Chhattisgarh)
4. Collector, Ambikapur, Distt. Surguja, (Chhattisgarh)
5. District Education Officer, Ambikapur, Distt. Surguja, (Chhattisgarh).

----Respondents

16/01/2017	Shri Rakesh Jha, Advocate for the petitioner. Shri Gary Mukhopadhyay, Govt. Advocate for the State. The challenge in this petition is to order dated 15.09.2015 whereby the respondents by way of disciplinary proceedings have passed impugned order of punishment ordering for stoppage of one annual increment with non cumulative effect. The present petition in its present form is not maintainable as the petitioner has efficacious statutory alternative remedy of filing of appeal before the appropriate authority under the provisions of Chhattisgarh Civil Services (Classification, Control and Appeal) Rules, 1966. Normally the High Court should not interfere if there is an adequate efficacious alternative remedy. Where hierarchy of	

appeals is provided by the statute, party must exhaust the statutory remedy before resorting to writ jurisdiction, except when a very strong case is made out for making a departure.

Accordingly, the petition is dismissed as not maintainable. However, liberty is reserved in favour of the petitioner to avail the remedy available to him under the provisions of rules.

Sd/-
(P. Sam Koshy)
JUDGE