

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

Writ Petition (S) No. 48 of 2018

Boondram Bharti **Versus** State of Chhattisgarh & others

13.11.2018	Shri Abhishek Pandey, Advocate for the petitioner. Shri Majid Ali, Dy. Govt. Advocate for the State. In this petition the State counsel makes a submission that the order of compulsory retirement passed by the State Govt. was reconsidered by the High Level Committee constituted by the State Govt. and they have found the order of compulsory retirement to be bad in law and have recalled the same and ordered for reinstatement of the petitioner herein. However, counsel appearing for the petitioner submits that he has grievance so far as the subsequent order to the extent of non granting of the benefit of salary and other allowances during the intervening period the petitioner was out of employment is concerned. Since the said claim of salary is a subsequent development which has arisen as a separate cause of action and a separate order passed by the respondents, this Court is of the opinion that the petitioner herein would have to agitate the same by a separate writ petition. Thus, the writ petition on the aforesaid submission of there being an order in favour of the petitioner by the High Powered Committee of reinstatement and the order of compulsory retirement having been recalled, the present writ petition has become infructuous reserving the right of the

petitioner to challenge the subsequent order so far as it is detrimental to the petitioner.

Accordingly, the writ petition stands dismissed as having become infructuous with the aforesaid liberty.

Sd/-
(P. Sam Koshy)
JUDGE