

HIGH COURT OF CHHATTISGARH AT BILASPURWPS No. 1640 of 2018

Anil Kumar Behra S/o Shri Santosh Kumar Behra, aged about 40 years, posted as Teacher (Panchayat), Middle School, Injako, Block-Patthalgaon, District Jashpur (C.G.).

---Petitioner

Versus

1. State of Chhattisgarh, through the Secretary, Panchayat and Rural Development Department, Mahanadi Bhawan, Mantralaya, New Raipur (C.G.).
2. The Director, Directorate of Panchayat, Indravati Bhawan, New Raipur (C.G.).
3. The Chief Executive Officer, Zila Panchayat Jashpur, District Jashpur (C.G.).

---Respondents

For petitioner	:	Shri J.K.Saxena, Advocate.
For State	:	Shri Syed Majid Ali, Dy.G.A.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

21/02/2018

1. The grievance of the petitioner is that the representation which the petitioner had filed subsequent to the disposal of the Writ Petition i.e. WPS No.7334/2017 has been rejected by the Chief Executive Officer, Zila Panchayat, Jashpur on 25/01/2018.
2. Before entering into the merits of the case it has been brought to the notice of this Court that, the earlier Writ Petition was disposed off with liberty granted to the petitioner to challenge the order passed in the representation. It was held that if it goes against the petitioner, he would be at liberty to challenge the order by filing an appeal to the appellate authority under the

Chhattisgarh Panchayat (Appeal and Revision) Rules, 1995. The appellate authority under the said statutes is the Divisional Commissioner, Surguja (C.G.). As such the present Writ Petition would not be maintainable.

3. Given the aforesaid observations by this Court in an earlier round of litigation, this Court directs the petitioner to prefer an appeal to the Divisional Commissioner.

4. Accordingly, the present Writ Petition stands disposed off with liberty to the petitioner to file an appeal before the concerned Divisional Commissioner who in turn shall consider the case of the petitioner on its own merits in accordance with rules.

Sumit

Sd/-
(P. Sam Koshy)
JUDGE