

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 657 of 2010**

K.S. Rajput, S/o. Shri Parsuram Rajput, Aged about 56 years, R/o. Executive Engineer, Rural Engineering Services, Division Baikunthpur, District Korea, Chhattisgarh.

---- Petitioner**Versus**

1. State of Chhattisgarh, Through Principal Secretary, Panchayat & Gramin Vikas Vibhag, D.K.S. Bhawan, Mantralaya, Raipur, District Raipur, Chhattisgarh.
2. Additional Secretary, Panchayat & Gramin Vikas Vibhag, Chhattisgarh, D.K.S. Bhawan, Mantralaya, Raipur, District Raipur, Chhattisgarh.

----Respondents

For Petitioner	:	Mr. Anshul Tiwari, Advocate under instructions of Mr. Manoj Paranjpe, Advocate.
For State	:	Mr. Syed Majid Ali, Dy. G.A.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****20/07/2018**

1. The order under challenge is Annexure P/1 dated 02.02.2010, whereby the promotion order issued in favour of the petitioner on 07.08.2004 stood cancelled and the petitioner was ordered to be demoted from the post of Executive Engineer to the post of Assistant Engineer.
2. The counsel for the parties jointly make a submission that an identical writ petition arising out of the same impugned order dated 02.02.2010 i.e. WPS No. 659/2010 in the case of 'Ghanshyam Dewangan v. State of Chhattisgarh' has already been considered by this Court on 21.06.2018 and this Court has allowed the writ petition. The facts and grounds raised by the petitioner in the present writ petition is identical in nature.

3. Given the facts that an identical writ petition has already been entertained by this Court and allowed and the same impugned order has already been set-aside/quashed by this Court on 21.06.2018 in the case of “Ghanshyam Dewangan” (supra), this Court is inclined to interfere with the impugned order of punishment on the ground of parity on similar terms.
4. The writ petition accordingly stands allowed in terms of the order passed by this Court in WPS No. 659/2010, decided on 21.06.2018. The present writ petition thus stands allowed. The impugned order Annexure P/1 dated 02.02.2010 stands set-aside/quashed and it is ordered that for all the practical purposes, the petitioner would be treated as Executive Engineer and he would also be entitled for all continuity of service on the post of Executive Engineer and his position would also be as it stood in the gradation list prior to 02.02.2010.
5. The writ petition accordingly stands allowed.

Sd/-
(P. Sam Koshy)
Judge