

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WRIT PETITION (S) NO. 5976 OF 2010**

S.K. Mahapatra, S/o Shri B.C. Mahapatra, aged about 48 years, R/o Quarter No. F-2, Bilaspur Road, near Hospital, Ambikapur, Surguja District, CG State

... **Petitioner**

versus

1. State of C.G., through: Secretary, Public Works Department, Govt. of C.G., DKS Bhawan, Raipur.

2. Engineer-in-Chief, Public Works Department, Raipur, CG State.

3. Secretary, CG State Public Service Commission, Raipur, CG State

... **Respondents**

For Petitioner	:	Mr. K.R. Nair, Advocate.
For Respondents No.1 & 2	:	Mr. Syed Majid Ali, Dy. Govt. Advocate.
For Respondent No.3	:	Mr. Ajay Chandra, Advocate, under instructions of Mr. Y.C. Sharma, Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

03/07/2018

1. Challenge in the present writ petition is to the order dated 28.8.2010, Annexure P-1, passed by Respondent No.1 in respect of 5 persons who were working as Assistant Engineers and vide the impugned order they have been reverted back to the post of Sub Engineer.

2. Learned Counsel appearing for the Petitioner submits that so far as one of the said five persons is concerned, i.e., Sheikh Riaz Mohammad, he was also inflicted with an order of reversion by the same order and he had filed a writ petition before this Court vide W.P.(S) No. 5727 of 2010 and the said writ petition stands allowed by this Court vide its order dated 18.2.2011. Learned Counsel for the Petitioner thus submits that the present writ petition also deserves to be allowed on the ground of parity as the facts and grounds raised in the said writ petition are identical to that of the present writ petition and the impugned order in the instant writ petition also is the common order which had been subjected to challenge in the said writ petition.

3. Learned Counsel appearing for the State on due verification of the order passed on 18.2.2011 in W.P.(S) No. 5727 of 2010 submits that the facts of the said writ petition are identical and that the petitioner therein also was inflicted with the same impugned order dated 28.8.2010, Annexure P-1.

4. Given the fact that this Court has already allowed a writ petition of identical nature, i.e., W.P.(S) No. 5727 of 2010, this Court is inclined to take the same stand and allow the present writ petition on similar terms so far as the present Petitioner is concerned.

5. The writ petition accordingly stands allowed and disposed of.

Sd/-
(P. Sam Koshy)
Judge

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