

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 2298 of 2018

Smt. Archana Choudhary W/o Late Shri Saubhagya Kumar Choudhary, Aged About 43 Years R/o Naka Chowk, Sakti, District- Janjgir- Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Panchayat And Rural Development, Mahanadi Mantralaya, Naya Raipur, Post Office And Police Station Naya Raipur, District- Raipur, Chhattisgarh, District : Raipur, Chhattisgarh
2. Collector, Raigarh, District- Raigarh, Chhattisgarh, District : Raigarh, Chhattisgarh
3. Chief Executive Officer, Janpad Panchayat, Baramkela, District- Raigarh, Chhattisgarh, District : Raigarh, Chhattisgarh
4. Block Education Officer, Baramkela, District- Raigarh, Chhattisgarh, District : Raigarh, Chhattisgarh

---- Respondents

For Petitioner	:	Shri S.S.Baghel, Advocate
For State	:	Shri Ramakant Mishra, Dy.A.G.
For Respondent No.3	:	None, though served.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

18/04/2018

The only ground of challenge to the impugned order is that the petitioner is a permanent employee working as Assistant Teacher and without holding departmental enquiry, by one stroke, the petitioner's services have been terminated.

2. The petitioner, being a permanent employee, her services could not be terminated without holding any departmental enquiry as contemplated in Rule 7 of the Panchayat Service (Discipline and Appeal) Rules, 1999. In this regard, issue has been decided by this Court in number of cases. In the case of *Prakash Chand Soni Vs.*

State of Chhattisgarh and others in WPS No.1846 of 2011 decided on 15.07.2015, this Court already decided similar issue. Therefore, the impugned order is clearly illegal and set aside with liberty to hold departmental enquiry.

**Sd/-
(Manindra Mohan Shrivastava)
Judge**

Deepti