

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No.6969 of 2011**

Vasudev Pandey, son of Late Shri M.L. Pandey, aged about 33 years, presently posted as Shiksha Karmi Grade II, resident of Qr.No.C-1, Shriram Parisar, Shanti Nagar, Bilaspur, Chhattisgarh

---- Petitioner

Versus

- 1.** State Of Chhattisgarh Through
 - (a) Secretary, School Education Department, Mantralaya, D.K.S. Bhawan, Raipur, Chhattisgarh
 - (b) Secretary, Home Department, Mantralaya, D.K.S. Bhawan, Raipur, Chhattisgarh
- 2.** Director, Public Instructions, Directorate, Raipur, Chhattisgarh

---- Respondents

For Petitioner	:	Mr.Amrito Das, Advocate
For Respondents	:	Mr.Shashank Thakur, G.A.

Hon'ble Shri Justice Sanjay K. Agrawal
Order on Board

15/1/2018

- 1.** Impugned order dated 4th November, 2011 (Annexure P/1) has been passed by the State Government in exercise of power conferred under Section 4(1) of the Chhattisgarh Atyavashyak Seva Sandharan Tatha Vichchinnata Nivaran Adhiniyam, 1979 (hereinafter called as "the Act of 1979").
- 2.** Learned Government Advocate for the respondents/State would submit that by virtue of sub-section (2) of Section 4 of the Act of 1979, life of order has already been expired upon completion of three months and as such, no cause of action survives for consideration in this matter.
- 3.** After hearing learned counsel for the parties, I am of the considered opinion that period of order of three months has

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already been expired from the date of 4.11.2011, therefore,
no cause of action survives for consideration in this matter.
However, the petitioner is free if fresh order is passed in
future.

4. Accordingly, the writ petition is dismissed with the aforesaid
liberty. No cost(s).

Sd/-

(Sanjay K. Agrawal)
Judge

B/-