

HIGH COURT OF CHHATTISGARH, BILASPUR

MCC No. 278 of 2018

1. State Of Madhya Pradesh (Now Chhattisgarh) Through The Secretary, Water Resources Department Government Of Madhya- Pradesh, Vallabh Bhawan, Bhopal, (M. P.) Now Government Chhattisgarh, Water Resources Department, Mahanadi Bhawan, Mantralaya, Naya Raipur, Chhattisgarh.Respondent No. 1, District : Raipur, Chhattisgarh
2. The Engineer- In- Chief, Water Resources Department, Shivaji Nagar, Bhopal Madhya Pradesh (Now, Raipur, Chhattisgarh.....Res. No. 3

---- Applicants

Versus

1. Pradeep Kumar Dubey The Then Assistant Engineer (Designs) Office Of The Chief Engineer, Hasdeo Basin, Water Resources Department, Bilaspur, District Bilaspur Chhattisgrh. Presently Retired Chief Engineer, Hasdeo Bango Project, Water Resources Department, Bilaspur. R/o Behind Ratan Hotel Near Old Bus Stand Bilaspur, Tahsil And District- Bilaspur, Chhattisgarh.Petitioner
2. The Chairman, Madhya Pradesh State Public Service Commission, Indore, District- Indore Madhya Pradesh. (Now Chhattisgarh, Public Service Commissioner, Raipur, District : Raipur, Chhattisgarh

....Non-Applicants/Respondents

For Applicants	:	Mr. Ramakant Mishra, Dy. A.G.
For Non-Applicant No.1	:	Mr. MPS Bhatia, Advocate

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

03.08.2018

Heard.

1. Learned Deputy Advocate General was heard on the prayer for modification/clarification and/ or extension of time for compliance of the order.
2. After having heard learned counsel for the State, I do not find any ground to modify or clarify the order for the reason that the direction was issued keeping in view that the petitioner (non-applicant herein) was allocated to the State of Chhattisgarh, he worked here and retired also from the State of Chhattisgarh. The review DPC have to be held only by the State of Chhattisgarh. It has also been stated in the order under review that the

relevant records may be requisitioned from the State of Madhya Pradesh. Therefore, prayer for recall/modification is rejected.

3. Learned Deputy Advocate General submits that due to aforesaid legal complication in implementation of the order of the Court, the order could not be complied with. He submits that some time may be granted.

4. I find that this petition was filed in the month of March, 2018 and three months time was sought. That period have already elapsed. However, keeping in view that the matter involves reconsideration by review DPC which will require obtaining old records from the State of Madhya Pradesh, in the interest of justice, one more opportunity of three months is granted. It is made clear that if the review DPC is not held within the said period, this Court would be constrained to draw inference that the order of the Court is being flouted and those who are responsible, shall be appropriately dealt with.

5. The MCC is accordingly disposed off.

Sd/-

(Manindra Mohan Shrivastava)
Judge