

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Appeal No. 479 of 2018**

- Pankaj Mire S/o Shri Mahesh Mire, Aged About 31 Years Presently Posted As District Coordinator, Pradhanmantri Awas Yojna (Rural). Jila Panchayat, Kabirdham, Permanent R/o Panna Nagar, Jarhabhatha, Bilaspur, District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Appellant**Versus**

1. State Of Chhattisgarh Through Secretary, Pradhanmantri Awas Yojna (Rural) Indrawati Bhawan, Naya Raipur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. Director, Pradhanmantri Awas Yojna (Rural) Indrawati Bhawan, Naya Raipur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
3. Chief Executive Officer, Jila Panchayat, Kabirdham, District Kabirdham Chhattisgarh., District : Kawardha (Kabirdham), Chhattisgarh

---- Respondents

For Appellant	:	Shri T.K. Jha, Advocate
For Respondents/State	:	Shri R.K. Gupta, Additional Advocate General

Hon'ble Shri Justice Prashant Kumar Mishra &
Hon'ble Shri Justice Ram Prasanna Sharma
ORDER

Per Prashant Kumar Mishra, J**09/05/2018**

1. Heard.
2. The dispute brought before this Court by way of this Writ Appeal

pertains to appointment of District Coordinator in Jila Panchayat, Kabirdham. While the petitioner would challenge the terms of advertisement as well the proposed enquiry on the ground that he had participated in selection process and was thereafter, appointed as the most meritorious candidate and had not withheld or concealed any information with the recruiting Agency, the enquiry has been initiated on an issue for which the State Government has subsequently issued clarification. He would submit that the point on which the enquiry has been initiated has no relation whatsoever to the appellant's merit or suitability.

3. Be that as it may, the learned Single Judge is absolutely right in saying that the writ petitioner is premature as no adverse action has yet been taken against the appellant. The learned Single Judge has also reserved liberty in favour of the appellant to take recourse to law, if any adverse order is passed against him.

4. In addition to what has been observed by the learned Single Judge, we further observe that in the proposed enquiry against the appellant, he shall be provided proper and fullest opportunity of hearing before taking any decision in the matter. If any adverse action is taken against the appellant, he shall be issued prior notice enabling him to take recourse to law.

5. With the above observation, the Writ Appeal is dismissed at the motion stage itself.

Sd/

(Prashant Kumar Mishra)
Judge

Sd/

(Ram Prasanna Sharma)
Judge

