

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 3775 of 2018**

Smt. Ahilya Kshatriya, W/o Shri Kamalchand Kshatriya, Aged About 58 Years R/o Warehouse Road, Mahamaya Vihar, Civil Lines, Police Station Civil Lines, Tehsil And District Bilaspur Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh, Through The Secretary, Department Of School Education Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur Chhattisgarh.
2. Director, Public Instruction, State Of Chhattisgarh Raipur Chhattisgarh.
3. District Education Officer, Bilaspur District Bilaspur Chhattisgarh.

----Respondents

For Petitioner	:	Mr. Sunil Otwani, Advocate
For State	:	Mr. Adhiraj Surana, Dy. G.A.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****18/05/2018**

1. The challenge in the present writ petition is to the action of the respondents placing the petitioner on compulsory retirement vide Annexure P/1 dated 02.05.2018.
2. Subsequent to the passing of the impugned order, as a policy decision the respondents have come up with a policy wherein the General Administration Department vide their circular dated 05.05.2018 has held that as far as the cases where the employees who have been given compulsory retirement on the basis of the circular dated 25.04.2017 and who are not satisfied with the decision of compulsory retirement, High Power Committees have been constituted by the State Government to reconsider the cases of all those persons, who have been granted compulsory retirement.

3. According to the said circular, the authorities would reconsider the cases of such employees and would reassess their ACRs and other credentials and would ascertain, whether the order of issuance of compulsory retirement was justified or not. The committee would then pass an appropriate order within an outer limit of two weeks from the date the matter stands referred to the said committee.
4. Given the said policy taken by the State Government, which has been brought to the notice of the Court by the State counsel, this Court is of the opinion that let the petitioner make a suitable representation/objection against the order of compulsory retirement before the appointing authority/committee promptly and thereafter the case of the petitioner be placed before the High Power Committee so constituted by the State Government in this regard. The committee in turn shall consider the case of the petitioner within the period, as stipulated in the policy itself and shall ensure that a prompt decision shall be taken preferably within an outer limit of 8 weeks that includes the decision which has to be taken from the C.M. coordination.
5. With the aforesaid observations, the present writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge