

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 6685 of 2018**

Chouthmal Sinha S/o Brijlal Sinha, Aged About 44 Years, Working On
The Post Of Peon (Daily Wages) Govt. Higher Secondary School
Budeli, Block- Narharpur, District North Bastar Kanker, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Tribal Development Mahanadi Bhawan New Raipur District Raipur, Chhattisgarh
2. The Secretary, Department Of School Education, Mahanadi Bhawan New Raipur District Raipur, Chhattisgarh
3. Commissioner, Bastar Division, Jagdalpur ,Chhattisgarh
4. Assistant Commissioner, Tribal Development Kanker, District North Bastar Kanker Chhattisgarh
5. The District Education Officer, North Bastar Kanker, Chhattisgarh
6. Principal, Govt. Higher Secondary School, Budeli District North Bastar Kanker, Chhattisgarh

---- Respondents

For Petitioner	:	Shri A. N. Pandey, Advocate
For State	:	Ms. Sunita Jain, P.L.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****08.10.2018**

The grievance of the petitioner is that while working on the post of
peon at Govt. Higher Secondary School, Budeli, Distrit North Bastar

Kanker went on leave on medical grounds on 30.11.2013. Thereafter the petitioner is said to have reported for duty only somewhere in the year 2016 but the respondents have refused to grant joining.

2. According to the counsel for the petitioner, till date no adverse order has been passed against the petitioner neither has there been any departmental enquiry initiated against the petitioner nor has he been inflicted with any punishment, therefore, the respondents could not have refused joining to the petitioner.

3. Given the aforesaid facts and the limited prayer which the petitioner has claimed for, let respondents 3 & 5 take an appropriate decision on the claim of the petitioner regarding joining. In this regard the petitioner is also directed to file a fresh representation to both these authorities within a period of 10 days from today and the respondents would take an appropriate decision as to how the intervening period has to be treated and whether the petitioner is entitled for joining or not.

4. With the aforesaid observation, the writ petition stands disposed of.

**Sd/-
P. Sam Koshy
Judge**