

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**W.P.S. NO. 6487 OF 2018**

Omprakash Singh, S/o Late Shri Trilocka Singh Rajput, aged about 33 years, Mukunda Bhawana, Bajnath Para, Rishabha Road Durg, Police Station Durg, Disstrict Durg (CG)

... Petitioner**versus**

1. State of Chhattisgarh, through its Principal Secretary, Department of Home (Jail), Mahanadi Bhawan, Mantralaya, Naya Raipur, District Raipur (CG)
2. The Jail and Correctional Services Chhattisgarh, the Director General Prisons, Jail Road, Raipur, Raipur (CG)
3. The Jail Superintendent, Central Jail, Durg, District Durg (CG)
4. The Jail Superintendent, District Jail Rajnandgaon, District Rajnandgaon (CG)

... Respondents

For Petitioner	:	Mr. Sunil Pillai, Advocate.
For Respondents	:	Ms. Sunita Jain, Advocates.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****01/10/2018**

1. Though the writ petition has been filed challenging the show cause notice dated 17.9.2018, Annexure P-7, but the petitioner after arguing for some time confines his relief sought for, for a direction to respondent no.4 to take a decision on the joining of the petitioner at the earliest.
2. Contents of the writ petitions reflects that the petitioner has been absent from duty though on medical grounds since January, 2012 i.e. more than 5 years.
3. The petitioner till date has not been terminated. Unless the petitioner is terminated, he has to be considered on the rolls of the respondents and on his getting fit by the medical certificate from the competent authority, the authorities concerned are liable to take a decision on his joining. The authorities concerned are also to take a decision as to whether the petitioner would be entitled for the salary for the intervening period in accordance with the rules governing the field.

4. Given the limited grievance, let respondent no.4 take a decision on the said claim of the petitioner in accordance with the rules and regulations governing the field and an appropriate decision be intimated to the petitioner in this regard, that is, so far as the joining part is concerned and also so far as the entitlement of the salary for the intervening period is concerned, within a period of 45 days from the date of receipt of certified copy of this order.

5. The writ petition accordingly stands disposed of.

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

/sharad/