

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 6748 of 2018**

Dilip Jaisawal S/o Late Shri Heera Prasad Jaiswal, Aged About 46 Years Working As Deputy Registrar, Cooperative Societies, Bilaspur, District Bilaspur, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Cooperation, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur Chhattisgarh
2. Registrar, Cooperative Societies, Chhattisgarh, Block-B, 2nd & 3rd Floor, Head Office, Indravati Bhawan, Naya Raipur, District Raipur Chhattisgarh

---- Respondents

For Petitioner	:	Shri Jitendra Pali, Advocate
For State	:	Shri S. P. Kale, Dy. A.G.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****10.10.2018**

Challenge in the present writ petition is to the order Annexure P-1 dated 07.09.2017 which is an order of punishment of stoppage of one increment without cumulative effect. According to the petitioner, the said order of punishment, for the first time, was served upon the petitioner on 06.09.2018.

2. Perusal of the record would reveal that the order under challenge is an appealable order and the fact that the petitioner has been served with the said order of punishment only on 06.09.2018. The limitation for filing of

an appeal against the said order would start from the date of the order of punishment being served upon the petitioner. Moreover, what is also to be taken note of the fact is that the order of punishment was on account of an alleged misconduct committed by the petitioner on his being transferred from Kanker to Bilaspur. The said averment and contentions are all matter of facts and records which would have to be verified and examined and it would be more appropriate if the verification part is done by the appellate authority rather than this Court in exercise of its power under Article 226 of the Constitution of India.

3. Given the said facts, let the petitioner prefer an appeal against the order of punishment within a period of 2 weeks from the date of receipt of certified copy of this order and the appellate authority thereafter shall consider and decide same in accordance with law within the period prescribed under the rules.

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

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