

HIGH COURT OF CHHATTISGARH, BILASPUR**WRIT PETITION (S) NO. 7102 of 2018**

Parmanand Sai S/o Shri Suku Sai, Aged About 40 Years, R/o Mahamaya Para, Ghutara Para Marg, Ambikapur, Police Station Ambikapur, District Surguja, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Panchayat And Rural Development, Mahanadi Bhawan, New Raipur Chhattisgarh
2. The Commissioner, Mahatma Gandhi National Rural Employment Guarantee Scheme, Raipur Chhattisgarh
3. The Collector Cum District Coordinator (MNREGA), Surguja Chhattisgarh
4. The Chief Executive Officer, Jila Panchayat Surguja, Chhattisgarh
5. The Chief Executive Officer, Janpad Panchayat, Ambikapur, District Surguja, Chhattisgarh

... Respondent(s)

For Petitioner	:	Shri Amit Kumar Sharma, Advocate.
For Respondent-State	:	Shri D. Wankhede, Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy

Order on Board

27.10.2018

Challenge in the present writ petition is to the discontinuance of the petitioner from the post of Assistant Technician (Contractual).

2. Grievance of the petitioner is that after having put in about 5-6 years of continuous service on contractual basis, the respondents have abruptly discontinued the services of the petitioner.
3. Perusal of record reveals that the service of the petitioner stood discontinued on completion of the contract period.
4. Given the said fact, there cannot be an indefeasible right created in favour of the petitioner for issuance of appropriate writ by the High Court under Article 226 of the Constitution of India for continuity in service. This power is vested solely with the employer i.e. the State Government.
5. Given the said fact, the petitioner is directed to approach the authorities by making a suitable representation in this regard and the respondents in turn may decide the same in accordance with the rules governing the field.
6. The writ petition accordingly stands disposed of

Sd/-
(P. Sam Koshy)
Judge