

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WA No. 792 of 2018**

Pushpalata Patel W/o Shri Rajesh Kumar Patel Aged About 31 Years R/o Saliman
Gali Madanpur, Kharsiya, Tahsil Kharsiya, District Raigarh, Chhattisgarh.

---- Appellant**Versus**

1. State Of Chhattisgarh Through The Secretary, Panchayat And Rural Development
Department Mantralaya, Mahanadi Bhawan New Raipur, District Raipur,
Chhattisgarh.
2. Development Commissioner Vikas Bhawan, Civil Line Raipur, District Raipur,
Chhattisgarh
3. District Programme Officer Raigarh, District Raigarh, Chhattisgarh.
4. Chief Executive Officer District Panchayat Raigarh, District Raigarh, Chhattisgarh.
5. Chief Executive Officer Janpad Panchayat Kharsia, District Raigarh, Chhattisgarh.

---- Respondents

For Appellant : Shri Rishi Rahul Soni, Advocate.

For Respondent/State : Shri Prasun Bhaduri, Government Advocate.

Hon'ble Shri Ajay Kumar Tripathi, Chief Justice
Hon'ble Shri Parth Prateem Sahu, Judge

Judgment on Board**05/12/2018****Per Ajay Kumar Tripathi, Chief Justice**

1. I.A. No.01 of 2018 has been filed to condone delay of 02 days in preferring
the appeal. For the reasons indicated in the application, the same is allowed. Delay
of two days is condoned.
2. Heard counsel for the parties.
3. Writ application of the Appellant was dismissed by the learned Single Judge
on 30.08.2018 refusing to interfere with the decision of the Respondent authorities,

who decided not to extend the period of contractual employment may be for failure to perform the responsibility for which such hiring was done on contract.

4. The argument made before the learned Single Judge that there were some adverse comments against him which constitutes stigma, had been rightly repelled by the learned Single Judge because it is not a case where the engagement or hiring of the Appellant was a contract of service. The engagement of the Appellant was a contract for service and the terms and conditions of such engagement are available on record alongwith the writ application.

5. The protection which the Appellant was looking forward to as if he was regular government servant is not available. Writ has rightly been dismissed. However, dismissal of the writ application as also the appeal preferred against the said impugned order dated 30.08.2018 of the learned Single Judge will not come in the way of the Appellant seeking remedy under common law.

6. The appeal has no merit. It is dismissed.

Sd/-

(Ajay Kumar Tripathi)
CHIEF JUSTICE

Sd/-

(Parth Prateem Sahu)
JUDGE