

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 8331 of 2018**

Prabhudas Xalxo S/o Abraham Xalxo, Aged About 47 Years, R/o Village Sagjor, Police Station- Farsabahar, District Jashpur Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Panchayat Department Mahanadi Bhawan, Mantralaya, New Raipur Chhattisgarh
2. The Additional Collector And Chief Executive Officer, Zila Panchayat, District Jashpur, Chhattisgarh
3. The Chief Executive Officer, Zila Panchayat, Jashpur, District Jashpur Chhattisgarh
4. The Chief Executive Officer, Janpad Panchayat, Farsabahar, District – Jashpur, Chhattisgarh

---- Respondents

For Petitioner	:	Shri Somkant Verma, Advocate
For State	:	Shri S. P. Kale, Dy. A.G.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****14.12.2018**

The limited relief which the petitioner has sought is for a direction to the respondents to consider his representation/appeal that he has filed against the order of termination.

2. The facts of the case are that the petitioner stood terminated from service after enquiry vide order dated 23.02.2012. The termination was on

account of the petitioner being involved in a criminal case. The said criminal case has subsequently resulted in acquittal of the petitioner vide judgment 03.01.2014 passed by the JMFC, Kunkuri, District Jashpur in Criminal Case No. 507 of 2011. Subsequent to the acquittal, the petitioner has again moved to the competent authority to reconsider the order of termination in the light of acquittal and the said representation/appeal is still pending consideration before respondent no.3. Counsel for the petitioner prays for an appropriate direction to respondent no.3 to consider the representation/appeal of the petitioner.

3. Given the facts and circumstances of the case, this Court is not inclined to keep the writ petition pending, rather ends of justice would meet if the writ petition is disposed of with a direction to respondent no.3 to decide the representation/appeal which the petitioner has made against the order of termination in the light of the judgment of acquittal passed in his favour. Let respondent no.3 take an appropriate decision on the claim of the petitioner at the earliest preferably within a period of 90 days from the date of receipt of copy of this order.

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

Sd/-
P. Sam Koshy
Judge