

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 561 of 2019**

Ramnaranay Patel S/o Dwarika Prasad Patel, Aged About 55 Years R/o Upper Division Teacher ,government Middle School Medapali ,block Dabhra ,district Janjgir Champa Chhattisgarh.

---Petitioner

Versus

1. State Of Chhattisgarh, Through The Secretary Department Of School Education Mahanadi Bhawan Mantralaya Atal Nagar District Raipur Chhattisgarh.
2. The Director Directorate Of Public Instruction Indrawati Bhawan Atal Nagar ,Raipur District Raipur Chhattisgarh.
3. District Education Officer Sakti District Janjgir Champa Chhattisgarh.
4. Block Education Officer Dabhra District Janjgir Champa Chhattisgarh.

---Respondents

For petitioner	:	Mr. Ajay Ku. Barik, A.G.
For State	:	Mr. Arvind Dubey, panel lawyer.

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

28/01/2019.

1. The challenge in the present writ petition is to the order (Annexure P-1) dated 25/09/18 whereby the respondent No. 3 has passed an order holding that the petitioner would not be entitled for wages for 11/08/18, on which date he was found absent from the school where he is a teacher.
2. The contention of the petitioner is that on 11/08/18 the petitioner and two other staffs had been called for a PLC meeting at Kotmi coordination centre under Block Dabhra. It is the further contention of the petitioner that the respondents, on issuance of a show cause notice, were duly intimated by the petitioner by way of his reply in respect of PLC meeting that he had attended and he had also intimated that the schools were declared closed after 12:30 on account of 11/08/18 being a date on which festival of "Hariyali" was celebrated.
3. Perusal of the impugned order (Annexure P-1) would reveal that the respondent authorities though have referred to the reply filed by the petitioner to the show cause notice, but there does not seem to be any proper investigation

or an enquiry conducted regarding the PLC meeting that the petitioner had to attend and have straightway passed the said order holding the petitioner not being entitled for wages on 11/08/18.

4. Given the factual matrix of the case, this Court is of the opinion that ends of justice would serve if the writ petition is disposed off with a direction to the petitioner to file a fresh representation to the respondent No. 2 in respect of the order dated 25/09/18. The respondent No. 2 in turn shall scrutinize the representation and on due verification of the facts from the concerned authorities shall pass a fresh order and decide whether the order passed by the DEO dated 25/09/18 is justified or not.

5. Subject to the petitioner filing a representation within a period of two weeks from today, the respondent No. 2 shall decide the same within a further period of 60 days thereafter.

6. With the aforesaid observations, the writ petition accordingly stands disposed off.

Sd/-

(P. Sam Koshy)
JUDGE

Harneet