

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 1015 of 2019**

Chiranjeev Prasad Rathore S/o Shri Aatmaram Rathore, Aged About 48 Years, Earlier Posted As Headmaster, Govt. Middle School Asounda, Block Sakti, District Janjgir Champa, Chhattisgarh, Present Posted As Headmaster, Govt. Middle School Lawsara, Block Sakti District Janjgir Champa, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, School Education Department, Mahanandi Bhawan, Mantralaya, New Raipur P. S. Rakhi, District Raipur, Chhattisgarh
2. The Commissioner, Bilaspur Division Bilaspur, Chhattisgarh

---- Respondents

For Petitioner	:	Shri Jeet Patel, Advocate
For State	:	Shri Arvind Dubey, P.L.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****15.02.2019**

The challenge in the present writ petition is to the order Annexure P-1 dated 22.12.2016 which is an order of punishment of stoppage of 2 annual increments with non-cumulative effect.

2. The present writ petition has been filed after about more than two years from the date of the impugned order was passed. The order of punishment is an appealable order under the service rules. Record does not reveal that the petitioner, at any point of time, has challenged the order

of punishment before the appellate authority.

3. Thus, reserving the right of the petitioner to challenge the impugned order of punishment before the appellate authority, the present writ petition, in its present form, stands dismissed as not maintainable.

4. In case the petitioner prefers an appeal within a period of 30 days from the date of receipt of copy of this order, the appellate authority shall decide the same within a further period of 90 days thereafter. However, while deciding the appeal, the question of limitation may not come in the way of the authority and the appeal should be decided on its merits.

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