

HIGH COURT OF CHHATTISGARH, BILASPUR**WRIT PETITION (S) NO.1361 OF 2019**

1. Narayan Lal Yadav S/o Amar Singh Yadav Aged About 33 Years Lecturer Panchayat At Govt. Higher Secondary School, Bansankara, District Baloda Bazar Bhatapara Chhattisgarh.

...Petitioner(s)**Versus**

1. State Of Chhattisgarh Through Secretary, Public Education Directorate, Mahanadi Bhawan, Naya Raipur, District Raipur Chhattisgarh.
2. District Education Officer Balodabazar ,district Balodabazar -Bhatapara Chhattisgarh.
3. Block Education Officer, Simga District Baloda Bazar Bhatapara, Chhattisgarh.
4. Principal Govt. Boys Higher Secondary School, Simga, District Baloda Bazar - Bhatapara Chhattisgarh.
5. Principal Govt. Higher Secondary School, Bansankara, District Baloda Bazar Bhatapara Chhattisgarh.

... Respondent(s)

For Petitioner	:	Shri Awadh Tripathi, Advocate.
For Respondent-State	:	Shri Rahul Mishra, Dy.Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****27.02.2019**

1. The limited grievance which the petitioner has raised in this petition is the action on the part of the respondents in not providing joining to the petitioner.
2. According to the petitioner, he is a Lecturer (Panchayat) under the respondent No.5. He was appointed in the year, 2003. According to the petitioner, he has been falsely implicated in a criminal case for the offence punishable under Section 304-B/34 IPC. The petitioner, on account of said criminal case, had been arrested on 13.07.2018 and subsequently released on bail on 11.01.2019. Immediately on his being released on bail, the petitioner is said to have reported for joining before the respondent No.5, but till date he has not been given joining.

3. The petitioner further submits that till date neither the services of the petitioner has been suspended nor is there any correspondence made by the department. Thus, for all practical purposes the petitioner is entitled for joining in service and prayed for the same.
4. The State counsel, on the contrary, opposing the petition submits that the respondent No.5 way back on 14.08.2018 had already made correspondence to the petitioner calling for his explanation for his absence from duty and therefore the appropriate decision would be taken by the respondent No.5 on the basis of any reply, if the petitioner has submitted.
5. Given the aforesaid facts and circumstances of the case, let the respondent Nos.3&5 take an appropriate decision in the case of the petitioner at the earliest preferably within a period of 45 days from the date of receipt of certified copy of this order keeping in view the nature of allegation and the fact that subsequently the petitioner has been released on bail. Moreover, from the documents attached to the petition there does not seem to be any order of suspension issued against the petitioner till now.
6. The writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge