

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 2584 of 2019**

Smt. Archana Rathore W/o Shri Amitabh Rathore Aged About 38 Years R/o
C D-64, New C And D, Hill View Colony, J S P L Patrapali, P S Kotra Road,
District Raigarh Chhattisgarh., District : Raigarh, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Its Secretary Department Of Technical Education, Man Power And Planning Department, Mahanadi Bhawan, Mantralaya, Atal Nagar, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. The Director Directorate Of Technical Education, Govt. Girls Polytechnic Campus, Byron Bazar, Raipur, District- Raipur Chhattisgarh., District : Raipur, Chhattisgarh
3. Kirodimal Govt. Polytechnic Collage Through Its Principle, In Front Of Kamala Nehru Park, Chankradhar Nagar, Raigarh, District Raigarh Chhattisgarh., District : Raigarh, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. V. K. Agrawal, Advocate
For State	:	Mr. Anshuman Shrivastava, PL

Hon'ble Shri Justice P. Sam Koshy**Order on Board****08/04/2019**

1. The challenge in the present writ petition is to the order dated 21/05/2012 which is an order of discontinuance of service of the petitioner.
2. Prima facie, this Court is of the opinion that the present writ petition suffers from delay and laches. In addition the fact also is that the petitioner substantively was a contractual employee while in service and the contract period also by now must have definitely come to an end. The impugned order of discontinuance of service in the instant case is one which was issued on 21/05/2012 and the present case is

being filed after about seven years i.e. in March, 2019. Since the substantive appointment of the petitioner was as a contractual employee, the post so fell vacant must have been filled by the respondents in the intervening period and the petitioner during all this period had not challenged the same as such it is a clear case where the petitioner has acquiesced his right to challenge the order of discontinuance.

3. The writ petition since suffers from delay and latches therefore stands rejected on the ground of delay.

Sd/-
(P. Sam Koshy)
Judge

Rohit