

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 3111 of 2019**

Dharmendra Yadav S/o Late Mahangu Ram Yadav Aged About 32 Years
 R/o Ward No. 11, Shankar Nagar, Nawagarh, Tahsil Nawagarh, District
 Bemetara Chhattisgarh., District : Bemetara, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Department Of School Education
 Mahanadi Bhawan, Atal Nagar, Raipur District Raipur Chhattisgarh., District
 : Raipur, Chhattisgarh
2. The Collector Bemetara, District Bemetara Chhattisgarh., District :
 Bemetara, Chhattisgarh
3. The District Education Officer Bemetara, District Bemetara Chhattisgarh.,
 District : Bemetara, Chhattisgarh
4. The Block Education Officer Bemetara, District Bemetara Chhattisgarh.,
 District : Bemetara, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. J. N. Nande, Advocate
For State	:	Ms. Sunita Jain, Government Advocate

Hon'ble Shri Justice P. Sam Koshy**Order on Board****29/04/2019**

1. Counsel for the petitioner submits that the petitioner in the instant case on account of some medical ailment he could not report for duty for a considerable long period of time and after recovering from his illness he has reported for joining but that has been refused by the department.
2. From the pleadings that has been made in the writ petition and documents enclosed therein, it appears no formal order of removal from service or discontinuance from employment has been passed

by the respondent against the petitioner. He is a person who was duly appointed in the year 2008 on regular basis.

3. Given the aforesaid facts, let respondent No. 2 to 4 whoever is concerned officer should take a decision as to what is the status of the petitioner, whether he stands removed from employment or whether he is still on the rolls of the respondent.
4. Let the petitioner, in addition to the representation that he has already made, make a fresh representation to the respondent No. 2 to 4 within a period of two weeks and respondent in turn may take a decision on the said representation within a period of four months from the date of receipt of fresh representation. It is made clear that this Court has not expressed any opinion so far as the entitlement of the petitioner is concerned. The respondents are expected to take a decision in accordance with the rules governing the field.
5. With the aforesaid observations, the writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge

Rohit