

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 3320 of 2019

Ambika Prasad S/o Shri Hukum Sai Aged About 50 Years R/o Village Shivnagar, Post Tara Janpad Panchayat Premnagar, District Surajpur Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Panchayat And Rural Development Mahanadi Bhawan, Atalnagar Raipur, District Raipur Chhattisgarh.
2. The Collector Surajpur District Surajpur Chhattisgarh.
3. The Chief Executive Officer Zila Panchayat Surajpur District Surajpur, Chhattisgarh
4. The Chief Executive Officer Janpad Panchayat Premnagar, District Surajpur Chhattisgarh.
5. Pahluram Kushwaha S/o Dashram Aged About 24 Years R/o Village Sarna (Nauli) Post Raghunathnagar, District Surguja Chhattisgarh
6. Harishchand Prasad Gautam S/o Shri Ram Prasad Aged About 41 Years R/o Raghunathnagar, Police Station Raghunathnagar, Tahsil Wadrafnagar, District Balrampur Ramanujanj Chhattisgarh.
7. Lal Bahadur S/o Late Munnalal Aged About 37 Years R/o Village Sarna, Police Station Raghunathnagar, District Balrampur Ramanujanj Chhattisgarh.
8. Tarkeshwar Yadav S/o Ram Vilas Aged About 43 Years R/o Village Rampur, Police Station Chalgali, District Balrampur, Ramanujanj Chhattisgarh
9. Baldeo Das S/o Shri Manglu Das Aged About 41 Years R/o Village Manpur, Tahsil Wadrafnagar, P. Raghunathnagar, District Balrampur, Ramanujanj Chhattisgarh.
10. Ram Kumar Yadav S/o Laxmi Narayan Yadav Aged About 52 Years R/o Virendraangar Police Station Virendranagar Tahsil Wadrafnagar, District Balrampur Ramanujanj Chhattisgarh.
11. Mahendra Kumar Yadav S/o Jadgev Ram Aged About 41 Years R/o Village Vinayakpur, Post Mohanpur, District Balrampur Ramanujanj Chhattisgarh.
12. Deepak Prasad S/o Krishna Prasad Aged About 44 Years R/o Village Kalikapur, Janpad Panchayat Ramchandrapur, District Balrampur Ramanujanj Chhattisgarh

---Respondents

For Petitioner	:	Mr. A.N. Pandey, Advocate
For State	:	Mr. Ishan Verma, Panel Lawyer

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

03/05/2019

1. Grievance of the petitioner is that he was appointed as Shikshakarmi vide Annexure P/1 (filed collectively) along with number of other persons including those whose names find place in the document Annexure P/4.
2. Learned counsel for the petitioner submits that after about 1 and ½ years of service, the petitioner's services were terminated by an oral order along with other persons. Some of the persons filed writ petition before this Court and thereafter, their representations were considered and they have been given appointment vide order dated 20.9.2013 & 8.10.2015 (Annexure P-4). He submits that purpose of filing this petition would be served if at this stage the petitioner is permitted to withdraw this petition with liberty to file representation before respondent No. 3 for similar relief. However, he prays for direction to respondent No. 3 to consider the case of the petitioner in the light of order dated 20.9.2013 passed in favour of five other similarly situated persons. He further submits that some time limit may also be fixed for respondent No. 3 to pass order.
3. State counsel has no objection if any such direction is issued to respondent No. 3. He, however, submits that the petitioner's case would be considered strictly in accordance with law subject to their suitability.
4. In view of above, the petitioner is permitted to withdraw this petition with the aforesaid liberty. In the eventuality of filing fresh representation along with copy of this order by the petitioner before respondent No. 3 within three weeks from today, it is expected from respondent No. 3 to pass appropriate orders in accordance with law keeping in view the order dated 20.9.2013, 08.10.2015 and 13.07.2017 (Annexure P/4) as expeditiously as possible preferably within four months from the date of receipt of such representation.

5. Nothing in this order shall be construed as an expression of opinion of this Court on merits of the case and the competent authority shall be at liberty to decide representation of the petitioner in accordance with law.

Sd/-
(P. Sam Koshy)
Judge

Ved