

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 3749 of 2019**

Anam S/o Late Deena, Aged About 59 Years, Caste- Panigrahi, R/o Old Miners Quarter, Ward No.5 Of The Municipal Corporation Chirmiri, P.O. West Chirmiri, Tahsil Baikunthpur, District- Korea, Chhattisgarh

---- Petitioner**Versus**

1. South Eastern Coalfields Limited Through Its Chairman Cum Managing Director, SECL Head Quarters Seepath Road, Bilaspur, Tahsil And Civil/revenue District- Bilaspur, Chhattisgarh
2. Director (Personnel) South Eastern Coalfields Limited, SECL Head Quarters, Seepath Road, Bilaspur, Tahsil And Civil/revenue District- Bilaspur, Chhattisgarh
3. Sub Area Manager NCPH Sub Area Of The Chirimiri Area Of SECL, P.O. Haldi Bari, Tahsil Khadgawan, Civil And Revenue District- Korea, Chhattisgarh

---- Respondents

For Petitioner : Mr. Suryapratap Yuddhveer Singh, Advocate.
For Respondents : Mr. V. R. Tiwari, Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****16.05.2019**

1. The challenge in the present writ petition is to the order Annexure P-1 dated 30.04.2018 whereby the services of the petitioner has been terminated on the ground that the petitioner took employment by changing the name of his father.

2. Perusal of the pleadings of the writ petition would show that the order of termination has been challenged by the petitioner by way of a departmental appeal marked to respondent no.1. The appeal was preferred on 30.05.2018. According to the petitioner, the appeal is still pending before the said authority.
3. Given the fact that the petitioner has already availed the departmental alternative remedy that was available by way of an appeal and the appeal being still pending, this Court is of the opinion that it should not be proper for this Court to entertain the writ petition at this juncture, rather ends of justice would meet if the writ petition is disposed of with a direction to respondent no.1 to decide the appeal at the earliest preferably within a period of 90 days. In case if the respondent no.1 is not the appellate authority, respondent no.1 is expected to mark the appeal which the petitioner has made to the concerned appellate authority promptly so that the appeal can be decided within the period stipulated.
4. The writ petition accordingly stands disposed of.

Sd/-
P. Sam Koshy
Judge