

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 4784 of 2019

1. Hussain Khan S/o Jumman Khan Aged About 54 Years R/o Village Khadgawa Post And Tehsil Khadgawa District- Koriya, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary Department Of Panchayat And Rural Development, Mahanadi Bhawan, Mantralaya Raipur, Chhattisgarh
2. The Collector Baikunthpur, Collectors Office Baikunthpur District- Koriya, Chhattisgarh
3. The Chief Executive Officer Janpad Panchayat Khadgawa, District- Koriya, Chhattisgarh

---Respondents

For Petitioner	:	Mr. Nishikant Sinha, Advocate.
For State	:	Mr. P. Acharya, Panel Lawyer.

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

01/07/2019

1. Ignoring the default pointed out by the Registry, the matter is heard finally at motion stage and disposed off.
2. Grievance of the petitioner is that he was appointed as Shiksha Karmi vide Annexure P/1 (filed collectively) along with number of other persons including those whose names find place in the document Annexure P/3.
3. Learned counsel for the petitioner submits that after about 2 years of service, the petitioner's service was 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 20.09.2013, 08.10.2015 and 28.02.2019 (Annexure P-3). He submits that purpose of filing this petition would be served if at this stage the petitioner is permitted to withdraw the petition with liberty to file representation before respondent No. 03 for similar relief. However, he prays for direction of Respondent No. 3 to consider the case of the petitioner in the light of order dated 20.09.2013 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.

4. 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 his suitability.
5. 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 order in accordance with law keeping in view the orders dated 20.09.2013, 08.10.2015 and 28.02.2019 (Annexure P-3) as expeditiously as possible preferably within four months from the date of receipt of such representation.
6. 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