

NAFR

**HIGH COURT OF CHHATTISGARH AT BILASPUR**

**Writ Petition (S) No. 5658 of 2019**

Sunil Narang S/o Mukund Narang Aged About 31 Years R/o - Madhaipur  
Post - Khisora, Balouda District- Janjgir Champa (C.G.)

**---- Petitioners**

**Versus**

1. State of Chhattisgarh Through Secretary Panchayat and Rural Development Department Mahanadi Bhawan, New Raipur (C.G.)
2. Collector Janjgir-Champa (C.G.)
3. Chief Executive Officer Janpad Panchayat, Balouda District- Janjgir-Champa (C.G.).

**---Respondents**

|                |   |                                  |
|----------------|---|----------------------------------|
| For Petitioner | : | Shri Basant Dewangan, Advocate   |
| For State      | : | Ms. Sunita Jain, Govt. Advocate. |

**Hon'ble Shri Justice P. Sam Koshy**

**Order on Board**

**02.08.2019.**

1. Challenge in this petition is to the order dated 08.09.2017 (Annexure P/1) whereby the services of the petitioner has been discontinued by the respondent No.3.
2. At the first instance, this court is of the opinion that the writ petition suffers from delay and laches. The order of discontinuance of service was issued about two years back. In between, the petitioner does not seem to have challenged it before any other higher authorities in the State Govt. nor has he challenged it before any competent court of law. Secondly, the writ petition may not be sustainable for the reason that the respondent No.3, in due course, have issued an advertisement on 26.12.2018 for filling up of the post of Rozgar Sahayak in the said village where the petitioner was posted. In all probability, the said advertisement has already been acted upon by now and the post which fell vacant from the removal of the petitioner must have got filled up. The petitioner did not even challenge the said advertisement when it was published and when it was being finalized.

For both these reasons, the writ petition at this juncture would not be maintainable.

3. Further, from perusal of the impugned order it also reflects that the petitioner was issued with a show cause notice dated 27.04.2017. The contents of the said show cause notice itself is self explanatory and thereafter the petitioner was given one months' notice before the impugned order was passed. This further shows due compliance of the requirement under Chhattisgarh Civil Services (Contract Appointment) Rules, 2012, having followed by the respondents before issuance of the impugned order.
4. The writ petition thus being devoid of merit deserves to be and is accordingly rejected.

Sd/-  
(P. Sam Koshy)  
**Judge**

inder