

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 5936 of 2019

1. Biswajit Acharya S/o Late Prabir Acharya Aged About 51 Years R/o Haldibadi, Chirmiri District Koriya Chhattisgarh., District : Koriya (Baikunthpur), Chhattisgarh
2. Ashish Kumar Dana S/o Late Banshi Dhar Dana Aged About 54 Years R/o Koriya Colary Chirmiri District Koriya Chhattisgarh., District : Koriya (Baikunthpur), Chhattisgarh

---- Petitioners

Versus

1. State Of Chhattisgarh Through Secretary School Education Department, Mahanadi Bhawan, Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. The Collector Baikunthpur, The Collers Office Baikunthpur, District Koriya Chhattisgarh., District : Koriya (Baikunthpur), Chhattisgarh
3. The Commissioner Nagar Palik Nigam Chirmiri, District Koriya Chhattisgarh. (Earlier Appointing Authority Was, Chief Executive Officer Sada Chirmiri) District Koriya Chhattisgarh., District : Koriya (Baikunthpur), Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Nishi Kant Sinha, Advocate
For State	:	Mr. Somkant Verma, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy

Order on Board

07/08/2019

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/3.

2. 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 20.9.2013, 8.10.2015, 13.07.2017 and 21.02.2018 (Annexure P-3). 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 his 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 order in accordance with law keeping in view the order dated 20.9.2013, 08.10.2015, 13.07.2017 and 21.02.2018 (Annexure P/3) 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

Rohit