

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WRIT PETITION (S) NO. 6850 OF 2019**

Milap Ram Yadav S/o - Shri Durbal Ram Yadav Aged About 37 Years
 Posted As Assistant Teacher (L.B.) At Government Primary School
 Kanderkela, R/o - Village Nawapara Tahsil Mainpur District Gariyaband
 Chhattisgarh, District : Gariyabandh, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, School Education Department, Mantralaya, Mahanadi Bhawan Naya Raipur district Raipur Chhattisgarh, District : Raipur, Chhattisgarh
2. Collector Gariyaband, District Gariyaband Chhattisgarh, District : Gariyabandh, Chhattisgarh
3. District Education Officer, Gariyaband, District Gariyaband Chhattisgarh, District : Gariyabandh, Chhattisgarh
4. Cheif Executive Officer, Zila Panchayat Gariyaband District Gariyaband Chhattisgarh, District : Gariyabandh, Chhattisgarh
5. Chief Executive Officer, Janpad Panchayat Mainpur, District Gariyaband Chhattisgarh, District : Gariyabandh, Chhattisgarh

... Respondents

For Petitioner	:	Ms. Divya Sharma, Advocate.
For Respondent-State	:	Mr. Jitendra Pali, Dy. A.G.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****04/09/2019**

1. Ignoring the default pointed out by the registry, with the consent of the parties the matter is heard finally and disposed off at the motion stage itself.
2. Challenge in the present writ petition is to the enquiry report (Annexure P-1) submitted by the respondents.
3. At the outset, this Court is of the opinion that in the light of WPS No. 1909/2017 decided on 24.4.2017 along with other connected matters, the present writ petition may not be sustainable as this Court on earlier round of litigation had granted the petitioner a liberty to approach this Court in the event of an adverse order being passed.

There was also an interim protection given to the petitioner for a period of one month from the date the order would be passed.

4. Given the aforesaid facts and circumstances of the case, this court is reluctant to entertain the present writ petition as of now. The petitioner would be at liberty to submit his reply to the enquiry report and also make submission to the authorities concerned who in turn shall take into consideration the contentions which the petitioner raises in his defence both before the enquiry as well as in the written submission that he would be submitting to the concerned authority. Authorities concerned are also expected to take into consideration all these contentions before passing a final order.
5. With the aforesaid observation, the present writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge