

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 7670 of 2019**

Naresh Singh S/o Shri Chandrabhan, Aged About 56 Years, R/o New Sarkanda, Bengali Para, Street No. 3, Bilaspur, Tahsil And District - Bilaspur Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Law And Legislative Affairs, Mahanadi Bhawan, Mantralaya, Atal Nagar, New Raipur Chhattisgarh.
2. The Deputy Secretary, Department Of Law And Legislative Affairs, Mahanadi Bhawan, Mantralaya, Atal Nagar, New Raipur Chhattisgarh.
3. The Collector / District Magistrate, District – Bilaspur, Chhattisgarh.
4. District And Sessions Judge, District- Bilaspur, Chhattisgarh.

---- Respondents

For Petitioner	:	Mr. Goutam Khetrapal, Advocate
For State	:	Ms. Abhyunati Singh, P.L.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****17.09.2019**

1. The relief sought in the present writ petition is for quashment of the circular dated 09.01.2019 whereby the respondent no.1 has initiated steps for appointment to the post of Assistant Public Prosecutor in different districts in the state of Chhattisgarh.
2. The contention of the counsel for the petitioner is that the petitioner was

initially appointed vide order dated 09.09.2016 and subsequently, his appointment was continued vide order dated 13.11.2017. Counsel for the petitioner submits that as per the order dated 13.11.2017, the tenure of the petitioner is till 30th of November, 2020 and therefore, the respondents should not replace the petitioner by another set of similarly placed person during the tenure of the petitioner.

3. However, perusal of the record would show that the order of appointment of the petitioner itself has a very specific clause that the services of the petitioner would be discontinued after giving one month of notice.
4. Given the aforesaid fact, this Court is of the opinion that the impugned order does not come in the way of the petitioner discharging his duties as long as the respondents do not discontinue the services of the petitioner following due procedure as per the terms of the engagement of the petitioner.
5. The writ petition accordingly stands disposed of with the aforesaid observation.

Sd/-
P. Sam Koshy
Judge