

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 8001 of 2019

Alka Ekka D/o Justa Ekka Aged About 24 Years R/o Village Kantabel Tehsil Manora District Jashpur Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary Women And Child Development Department, Mantralaya Atal Nagar, District Raipur Chhattisgarh.
2. Commissioner Surguja Division Ambikapur District Surguja Chhattisgarh.
3. The Collector Jashpur District Jashpur Chhattisgarh.
4. Chief Executive Officer, Janpad Panchayat Manora, District Jashpur Chhattisgarh.
5. Program Officer, Ekikrit Bal Vikas Pariyojna Manora District Jashpur Chhattisgarh.
6. Kumari Rupmani Bai D/o Shri Bandhu Ram R/o Kantabel Tahsil Manora District Jashpur Chhattisgarh.

---Respondents

For Petitioner	:	Mr. Nishi Kant Sinha, Advocate
For State	:	Mr. Ashutosh Mishra, P.L.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

30/09/2019

1. The challenge in the present writ petition is to the impugned order Annexure P/1 dated 23.07.2019, passed by the Commissioner, Surguja division in Revenue Appeal No. 411A-89/2017-18.
2. The contention of the petitioner is that the petitioner was granted an interim protection at the first instance by the Commissioner and which the Commissioner has now modified/clarified vide impugned order dated 23.07.2019 and that till date the petitioner is working on the said post and therefore pending the Revenue appeal before the Commissioner, the petitioner may not be disturbed and the appeal itself may be decided on merits.

3. Considering the above given facts, since the Commissioner had already granted an interim protection to the petitioner and the appeal was pending consideration for quite some time, it would have been more appropriate for the Commissioner to have decided the appeal itself on merits rather than deciding the interlocutory applications.
4. Given the said facts, without expressing any opinion on the merits of the case, let the Commissioner decide the appeal itself on its merits at the earliest preferably within a period of 60 days from the date of receipt of the copy of this order. Till then let status-quo as it exists today be maintained between the parties.
5. With the aforesaid observations, the present writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

Ved