

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 8257 of 2019

Darash Ram Rathiya S/o Shri Ful Singh Rathiya Aged About 50 Years Posted As Assistant Teacher, (L.B.), Government Primary School Sipahimuda, Block Sakti, District - Janjgir Champa, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through - Secretary, Department Of Panchayat And Rural Development Mantralaya, Mahanadi Bhawan, New Raipur, District - Raipur, Chhattisgarh.
2. Collector, District - Janjgir Champa, Chhattisgarh.
3. The Chief Executive Officer Zila Panchayat Janjgir, District - Janjgir Champa, Chhattisgarh
4. The Chief Executive Officer Janpad Panchayat Sakti, District - Janjgir Champa, Chhattisgarh.
5. The District Education Officer Education District - Sakti, District - Janjgir Champa, Chhattisgarh.
6. The Block Education Officer Sakti, District - Janjgir Champa, Chhattisgarh.

--- Respondents

For petitioner- Shri Jeet Patel, Advocate.
For State- Smt. Richa Shukla, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

14/10/2019

1. The challenge in the present writ petition is to the order Annexure P-1 dated 15.05.2017 which is an order of punishment of stoppage of one annual increment with non-cumulative effect.
2. The present writ petition has been filed after about more than two years from the date of the impugned order was passed. The order of punishment is an appealable order under the service rules. Record does not reveal that the petitioner, at any point of time, has challenged the order of punishment before the appellate authority.
3. Thus, reserving the right of the petitioner to challenge the impugned order of punishment before the appellate authority, the present writ

petition, in its present form, stands dismissed as not maintainable.

4. In case the petitioner prefers an appeal within a period of 30 days from the date of receipt of copy of this order, the appellate authority shall decide the same within a further period of 90 days thereafter. However, while deciding the appeal, the question of limitation may not come in the way of the authority and the appeal should be decided on its merits.

Sd/-

(Goutam Bhaduri)

JUDGE