

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 8369 of 2019**

- Mahendra Kumar Nayak, S/o Shri Maganlal Nayak, Aged About 35 Years, Posted As Assistant Teacher (L.B.) At Government Primary School Dongribhata, R/o Village Banjipader, Tahsil Mainpur, District Gariyaband Chhattisgarh.

---- Petitioner**Versus**

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

---- Respondents

For Petitioner : Ms. Diksha Gouraha, Advocate

For Respondents/ State : Ms. Beenu Sharma, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****15/10/2019**

1. Challenge in the present writ petition is to the enquiry report (Annexure P-1) submitted by the respondents.
2. At the outset, this Court is of the opinion that in the light of WPS No. 1993/2017 decided on 37.4.2017 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.

3. 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.

4. With the aforesaid observation, the present writ petition stands disposed of.

Sd/-

Goutam Bhaduri
Judge