

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**WPS No. 8539 of 2019**

Lalit Kumar Sahu S/o M. R. Sahu Aged About 31 Years Presently  
Posted As Assistant Teacher (P) At Government Primary School  
Makkhanpur, R/o Village Chherkapur, Tahsil Nawagarh, District  
Bemetara Chhattisgarh

**---- Petitioner**

**Versus**

1. State Of Chhattisgarh Through The Secretary, Panchayat And Rural Development Department, Mahanadi Bhawan, Mantralaya, Naya Raipur District Raipur Chhattisgarh,
2. Chief Executive Officer Janpad Panchayat Nawagarh District Bemetara Chhattisgarh,
3. Sukhamandas Manikpuri S/o Meladas Manikpuri R/o Chhitapar, Tahsil Nawagarh District Bemetara Chhattisgarh

**----Respondents**

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For petitioner – Shri Ishan Verma, Advocate.  
For State- Shri Kunal Das, PL.

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**Hon'ble Shri Justice Goutam Bhaduri**

**Order**

**17/10/2019**

1. Challenge in this petition is to the order dated 24/09/2019 (Annexure P-1). It is contended that the petitioner on the earlier round of litigation was reinstated and after his reinstatement again on a complaint made notices have been issued by Annexure P-1. The notice purports that the petitioner have been given opportunity to reply. Learned counsel submits that the petitioner had earlier round of litigation and this is third round of litigation and Annexure P-1 shows that the petitioner may file the reply within stipulated period of time and if it is not filed then after a period of time it would not be considered.
2. At this stage I do not find any reason to interfere in this petition. Petition appears to be premature. Annexure P-1 which is issued by the CEO shows that the petitioner has been given opportunity to

reply. The petitioner is very well within his right to reply the same. Even otherwise if the petitioner is aggrieved by the issuance of notice, considering it to be an order then in such case if it is construed as an order as per the petitioner the subject matter of the Annexure P-1 it is appealable under the Chhattisgarh Panchayats (Appeal and Revision) Rules, 1995 as the order is passed by the CEO and the appeal would lie to appellate authority as the case may be. Therefore, I do not find any merit in this petition as alternative remedy is available. Petition is devoid of merit, it is dismissed accordingly.

Sd/-

(Goutam Bhaduri)

JUDGE