

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 8669 of 2019**

- Salimuddin, S/o Shri Ahshan Miyan, Aged About 53 Years, R/o Village Sanawal, Post Station, Ramchadrapur, District Balrampur-Ramanujganj, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh, Through Secretary School Education Department, Mahanadi Bhawan, Raipur, Chhattisgarh.
2. The Collector Balrampur, Collector's Office Balrampur, District Balrampur-Ramanujganj, Chhattisgarh.
3. The Chief Executive Officer, Janpad Panchayat Ramchandrapur, District Balrampur-Ramanujganj, Chhattisgarh.

---- Respondents

For Petitioner : Shri Bhupendra Singh, Advocate

For Respondents/ State : Shri Priyank Rathi, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****21/10/2019**

1. The grievance of the petitioner is that he was appointed as Shiksha Karmi in the year 1996 as per Annexure P-1, along with number of other persons including those names find place in Annexure P-2.
2. Learned counsel for the petitioner submits that petitioner's services were terminated after 1 and half years by an oral order along with other persons. It is further submitted that similarly placed persons have filed writ petition before this Court and one of that is WPS No. 7332 of 2017 (Jameel Ahmed Vs. State of C.G. and Others) dated 15.01.2018 enclosed with the petition

and the petitioner is also entitled for similar relief.

3. Learned State counsel do not oppose the same.

4. The order passed in WPS 7332 of 2017 reads as under :-

2. Learned counsel for the petitioner submits that after about 1 and ½ years of service, the petitioners' services were terminated by an oral order along with other persons. Some of the persons filed writ petition before this Court and thereafter, their representations were considered and they have been given appointment vide order dated 20.9.2013 & 8.10.2015 (Annexure P-4). He submits that purpose of filing this petition would be served if at this stage the petitioner is permitted to withdraw this petition with liberty to file representation before respondent No. 3 for similar relief. However, he prays for direction to respondent No. 3 to consider the case of the petitioner in the light of order dated 20.9.2013 passed in favour of five other similarly situated persons. He further submits that some time limit may also be fixed for respondent No. 3 to pass order.

3. State counsel has no objection if any such direction is issued to respondent No. 3. He, however, submits that the petitioners' case would be considered strictly in accordance with law subject to their suitability.

4. In view of above, the petitioner is permitted to withdraw this petition with the aforesaid liberty. In the eventuality of filing fresh representation along with copy of this order by the petitioner before respondent No. 3 within three weeks from today, it is expected from respondent No. 3 to pass appropriate orders in accordance with law keeping in view the order dated 20.9.2013, 08.10.2015 and 13.07.2017 (Annexure P/2) as expeditiously as possible preferably within four months from the date of receipt of such representation.

5. Nothing in this order shall be construed as an expression of opinion of this Court on merits of the case and the competent authority shall be at liberty to decide representation of the petitioners in accordance with law.

5. It is ordered accordingly. The direction of WPS No. 7332 of 2017 from para 2 to para 5 shall also be applicable in this case. The ratio laid down in the case supra shall also govern the cause of lis in this case also and will have the same effect and operation.

Sd/-

Goutam Bhaduri
Judge

Jyoti