

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**CONT No. 82 of 2020**

Rajkumar Yadav S/o Shri Panchram Yadav, Aged About 51 Years R/o Village Taga, Janpad Panchayat, Akaltara, District Janjgir Champa Chhattisgarh

---- **Petitioner****Versus**

Shri Janak Prasad Pathak, Posted As Collector, District Janjgir Champa Chhattisgarh

---- **Respondent**

For Petitioner	:	Mr. Bharat Rajput, Advocate
For Respondent	:	Mr. Gary Mukhopadhyay, Advocate

Hon'ble Shri Justice P. Sam Koshy**Order on Board****09/03/2020**

1. The present contempt petition has been filed alleging non-compliance of the order dated 19.08.2019, passed by this Court in WPS No. 6157/2019, whereby this Court had directed the Appellate Authority to take a decision on the departmental appeal preferred by the petitioner.
2. Mr. Gary Mukhopadhyay, Advocate entering appearance on behalf of the respondent submits that the appeal has since been decided vide order dated 30.09.2019 (Annexure R/1) and in the appeal the Appellate Authority has held that under the provisions of the Chhattisgarh Panchayat Services (Discipline and Appeal) Rules, 1999, the Appellate Authority in respect of an order passed against a class-IV employee, would be the general body of the Janpad Panchayat and not the Collector and therefore keeping in view the aforesaid provisions of law, the Appellate Authority has rejected the appeal on the ground of he not being the competent authority to decide the appeal.

3. Given the fact that the Collector has taken a decision, this Court is of the opinion that, let the petitioner approach the concerned Appellate Authority for redressal of his grievance or on the contrary challenge the order of the Collector, so far as the order dated 30.09.2019 is concerned by way of a fresh writ petition.
4. Reserving the right of the petitioner to avail appropriate remedy, the contempt petition as such stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

Ved