

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 1088 of 2020**

- Prahlad Kumar Sahu S/o Late Teras Ram Sahu Aged About 33 Years Resident Of Village Hasuva, Police Station Gidhori, Tahsil Kasdol, District Baloda Bazar Bhatapara Chhattisgarh

---- Petitioner**Versus**

1. State of Chhattisgarh Through The Secretary, Department Of Revenue Disaster, Mantralaya, Mahanadi Bhawan, Atal Nagar, New Raipur, District Raipur Chhattisgarh
2. Commissioner Land Record Indrawati Bhawan, Atal Nagar, Raipur, District Raipur Chhattisgarh
3. Collector Baloda Bazar, District Baloda Bazar Bhatapara Chhattisgarh
4. Sub Divisional Officer (Revenue) Kasdol Tahsil Kasdol, District Baloda Bazar Bhatapara Chhattisgarh

---- Respondents

For Petitioner : Shri C.R. Sahu, Advocate

For Respondents/State : Shri Kunal Das, PL

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****20/02/2020**

1. Heard.
2. The grievance of the petitioner is that the petitioner was appointed as a Driver on a monthly payment of Rs.8580/- in the Tahsil Officer Kasdol.
3. It is contended that the petitioner was not paid salary from July, 2018 to June, 2019, which would amount to Rs.1,33,290/-. It is further contended that when

the petitioner demanded the amount, his services were dispensed with.

4. Learned counsel for the petitioner referred to the document Annexure P-7 and would submit that the Additional Collector, Baloda-Bazar -Bhatapara has made a communication to the Commissioner, Land Records, Raipur to grant sanction of amount as the salary could not be paid for want of sanction of grant, therefore, the petitioner though has rendered service but was not paid the salary. It is stated that he being the low paid employee his salary may be paid forthwith. He would further submit that the petitioner prays that the liberty may be reserved to challenge the termination in a separate appropriate proceeding.
5. Perusal of the documents filed along with the petition shows the attendance register for the period for which the petitioner attended the duties and discharged job, is authenticated by the communication dated 14.06.2019 which is a letter written by the Additional Collector to the Commissioner to grant sanction to make payment to the petitioner. The perusal of the letter contends that the amount of Rs.133290/- has been sought for grant of sanction so that the amount of the salary may be paid. Taking into such fact and the tenor of the letter it is unfortunate that the petitioner, who is a low paid employee and such amount has been withheld for such a long period and the communication despite being made in the month of June 2019, till date the amount has not been paid. Taking into the background and the facts of this case, it is directed that the petitioner shall have the liberty to file appropriate proceeding to challenge his termination as it is averred that when the payment was asked for, the services of the petitioner were dispensed with.
6. Be that as it may, the communication letter dated 14.06.2019 clearly spells out

that an amount of Rs.133290/- is pending which is to be paid and could not be paid to the petitioner for want of sanction of amount though the petitioner has rendered the services as a driver in the office of Tehsil Kasdol. Considering the job rendered by the petitioner and the background, it is directed that the Respondents No.1 & 2 shall ensure the payment to be made to the petitioner within a period of 45 days from the date of receipt of this order. If the payment is delayed the payment of interest shall be considered subsequently for which the liberty is given to the petitioner to approach to the Court as and when advised for.

7. With the aforesaid observation, the writ petition stands disposed of.

Sd/-

Goutam Bhaduri
Judge

Ashu