

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 2832 of 2020**

- Premraj Dahariya S/o Late Shri Dasraj Dahariya Aged About 27 Years
R/o Bazar Para, Near Mandi Road, Kondagaon, District- Kondagaon,
(C.G.)

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Panchayat And Rural Department, Mantralay, Mahanadi Bhawan, Atal Nagar, Naya Raipur, District- Raipur, (C.G.)
2. Development Commissioner Indrawati Bhawan, Atal Nagar, Naya Raipur, District- Raipur, (C.G.)
3. Chief Executive Officer Zila Panchayat, Kondagaon, District- Kondagaon, (C.G.)
4. Collector Kondagaon District- Kondagaon, (C.G.),
5. Project Director Zila Panchayat (D.R.D.A.), Kondagaon, District- Kondagaon, (C.G.)

---- Respondents

For Petitioner	:	Mrs. Meena Shastri, Advocate
For State	:	Mr. Amrito Das, Addl. A.G.

Hon'ble Shri Justice Goutam Bhaduri**Order****20.07.2020**

1. Heard
2. The present writ petition has been filed by the petitioner against the order dated 13.05.2019 wherein the representation has been decided by the respondent No. 3 and the said decision of the representation was pursuant to the order passed by this Court in WPS No. 2288/2019 passed on 29/03/2019 (Annexure P/9).
3. It is contended that the petitioner was terminated by order dated 16.01.2019 (Annexure P/2) whereas, according to the contract the

appointment was to last uptill 23.03.2019 and on 07.01.2019, one notice was issued to the petitioner and without giving any opportunity of hearing, the said termination was affected and thereafter subsequently it was subject of challenge and thereon the representation has been decided.

4. The perusal of the document filed along with the writ petition would show that the appointment in any case was uptill 28.03.2019, therefore as on date this Court cannot create a contract by judicial order and revive the service which was in contractual nature. Furthermore, the order impugned Annexure P/1 would be appealable under Chhattisgarh Panchayat (Appeal and Revision) Rules 1995. Taking into consideration the facts of this case, no relief can be granted to the petitioner in exercise of Article 226 of the constitution of India.
5. The writ petition sans merit and accordingly is dismissed.

Sd/-

(Goutam Bhaduri)
Judge