

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3409 of 2020

- Vijay Kumar Satapathy S/o Late Chakradhar Satapathy Aged About 40 Years R/o Village- Porath, Thana- Sariya, Po- Lukapara, District- Raigarh, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Panchayat And Rural Development Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur, Chhattisgarh
2. Collector, Raigarh District Raigarh, Chhattisgarh
3. Chief Executive Officer Janpad Panchayarm, Baramkela, District Raigarh, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Sanjay Kumar, Advocate
For State	:	Ms. Akansha Jain, Dy. G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

27.08.2020

1. Heard
2. Learned counsel for the petitioner submits that the petitioner was appointed as Shiksha Karmi Grade III on compassionate ground and joined his service in the year 2005 which was regularised in the year 2007 and thereafter he was terminated from his service without any departmental enquiry. He placed his reliance on Annexure P/10 dated 18.04.2018 and submits that in the similar situation, this Court in WPS No. 2298/2018 had set-aside the order of termination stating that the said termination order has been passed without holding any enquiry.
3. The document filed along with the writ petition Annexure P/7 is on

record whereby it is stated that the petitioner has resigned on 07.02.2011. The petitioner though made a reference of Annexure P/8 dated 27.06.2020 in which entire reasons were assigned but according to the document i.e. Annexure P/7 the petitioner submitted had resigned in the year 2011. The instant writ petition is filed in the month of August 2020. No pleading has been made in the present writ petition as to why the petition has been filed with an exorbitant delay instead it has been pleaded that the petitioner declares that there is no delay in filing the present petition.

4. Under these circumstances, considering the Annexure P/7 which purports that the petitioner has already resigned in the year 2011 and nine years have already been passed, therefore at this stage, after considering the period which has been passed, I do not find any reason to explore the reasons and disputed question of facts because the present petition suffers from delay and latches. Consequently, I am not inclined to invoke the jurisdiction of this Court under Article 226 of the Constitution of India.
5. Accordingly, the writ petition stands dismissed.

Sd/-

(Goutam Bhaduri)
Judge