

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3542 of 2020

Narendra Patel S/o Late Shri Duberam Aged About 37 Years R/o Village Kasekera, Post Kasekera, P.S. Komakhan, Tahsil Bagbahara, District Mahasamund Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Panchayat Department, Mahanadi Bhawan, Mantralaya, New Raipur Atal Nagar, District Raipur Chhattisgarh
2. Chief Executive Officer, Zila Panchayat Mahasamund, District Mahasamund Chhattisgarh

---Respondents

For petitioner– Shri Anukul Biswas, Advocate.
For State- Smt. Richa Shukla, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

14/09/2020

1. Heard.
2. Challenge in this petition is to the termination dated 17/08/2020 issued by the Chief Executive Officer, Zila Panchayat, Mahasamund.
3. Learned counsel for the petitioner would submit that the petitioner's services have been terminated on the wrong ground without giving any opportunity of hearing to the petitioner and despite the fact all the reply was filed to the show cause. Learned counsel would submit that on consideration of the wrong facts termination have been affected.
4. Prima facie perusal of the order of termination Annexure P-1 dated 17/08/2020 would show that it has been passed under Chhattisgarh Panchayat Service (Discipline and Appeal) Rules, 1999. Part-4 of the said Rules, 1999 provide for filing of appeal. According to the appendix all the specified authorities have been earmarked. Considering the fact that statutory appeal remedy is provided and since termination have been made by the Zila Panchayat, according to their appendix it appears that Divisional Commissioner would be the Appellate Authority.

5. In view of this, the petitioner may prefer an appeal before the appropriate authority within a further period of 30 days from the date of receipt of this order.

6. With the aforesaid observation, the petition stands disposed off.

Sd/-

(Goutam Bhaduri)

JUDGE