

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 3943 of 2020**

- Rajkumar Parkar S/o Kishan Lal Parkar Aged About 41 Years Assistant Revenue Inspector, Nagar, Panchayat Gurur, R/o Ward No. 13, Post Office And Police Station Gurur, District Balod Chhattisgarh., District : Balod, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary Urban Administration And Development Department, Mantralyala, Mahanadi Bhawan , Atal Nagar, District Raipur Chhattisgarh.
2. Director Directorate Urban Administration And Development Department , Indravati Bhawan , Raipur , District Raipur Chhattisgarh.
3. Collector Balod, District Balod Chhattisgarh.
4. Chief Municipal Officer Nagar Panchayat Gurur, District Balod Chhattisgarh.
5. President Nagar Panchyat Gurur, District Balod Chhattisgarh.,

---- Respondents

For Petitioner	:	Mr. Shrawan Agrawal, Advocate
For State	:	Ms. Akansha Jain, Dy. G.A.

Hon'ble Shri Justice Goutam Bhaduri**Order****7-10-2020**

1. Heard.
2. Learned counsel for the petitioner submits that the petitioner was working as Assistant Revenue Inspector in Nagar

Panchayat, Gurur, District Balod. The services of the petitioner were terminated by order dated 27-5-2020 (Annexure P/3) which was passed by respondent No.4 - Chief Municipal Officer, Nagar Panchayat Gurur, in pursuance of the resolution of President in Council (PIC) dated 20-5-2020. He would further submit that the services of the petitioner were terminated for the reason he was absent from his duties which is unauthorized. It is further submitted that though the petitioner was working with respondent No.4, his salary is not being paid. He would further submit that the petitioner has made a representation on 31-7-2020 (Annexure P/1) to the respondent No.4 Chief Municipal Officer, Nagar Panchayat Gurur, which may be decided within a specified time.

3. A query was made to the petitioner as to under what Rules, the services are governed, counsel for the petitioner is unable to satisfy the Court and would submit that only the representation of the petitioner may be directed to be decided.
4. Perusal of the document would show that the services of the petitioner were terminated in exercise of power conferred under Chhattisgarh Municipal Employees (Recruitment and Conditions of Service) Rules 1968 along with fundamental rules. The termination having been affected, the petitioner has to avail the remedy which is available to him under the law. The prayer of the petitioner that his representation may be

directed to be decided, cannot be considered as this court cannot confer the statutory jurisdiction by order to exercise the appellate power and direct the respondent No.4 – Chief Municipal Officer, Nagar Panchayat to decide the representation. The direction to decide a representation cannot be omnibus one which can be claimed in each and every case, therefore, the relief of the petitioner cannot be acceded. The petitioner shall be at liberty to avail the statutory remedy available to him under the law.

5. Accordingly, the petition being devoid of merit is liable to be and is hereby dismissed.

Sd/-
(Goutam Bhaduri)
Judge

Raju