

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WA No. 394 of 2020**

- Praveen Kumar Rathore, S/o Shri Kamal Kumar Rathore, aged about 28 years, R/o- MQ- 265, Urja Nagar, Gevra, Dipka- Jhana, Korba (C.G.).

---- appellant

Versus

1. State of Chhattisgarh, through the Secretary, Panchayat & Rural Development Department, Mantralaya, Mahanandi Bhawan, Naya Raipur, Raipur (C.G.).
2. Director Directorate of Panchayat lind Floor, Indrawati Bhawan, Naya Raipur, Atal Nagar District- Raipur (C.G.).
3. Deputy Director, Panchayat, Jashpur District Jashpur (C.G.).
4. Collector, Jashpur District- Jashpur (C.G.)
5. Chief Executive Officer, Zila Panchayat Jashpur, District- Jashpur (C.G.)
6. Pramod Kumar Harit, Presently Posted as Deputy Director, Panchayat, Jashpur District- Jashpur (C.G.).
7. K. S. Mandavi, presently posted as Chief Executive Officer, Zila Panchayat Jashpur, District Jashpur (C.G.)

---- Respondents

For Appellant	: Shri Faisal Akhtar, Advocate
For Respondent	: Shri Sudeep Agrawal, Dy. Advocate General

Hon'ble Shri Justice Prashant Kumar Mishra
Hon'ble Shri Justice Gautam Chourdiya
Order on Board by Justice Prashant Kumar Mishra

28/10/2020

The matter is heard through Video Conferencing.

2. The petitioner was appointed by Directorate of Panchayat, Chhattisgarh as Data Entry Operator on 04.10.2016. On certain

allegation, he was terminated from service without any departmental enquiry vide order Annexure A-4 dated 27.09.2019 passed by the Collector (Panchayat), Jashpur. This order was to take effect after exhaustion of period of one month from the date of notice. Despite the termination order having been issued, the Directorate of Panchayat, Jashpur issued a communication (Annexure A-13) dated 14.05.2020 addressed to C.E.O., Zila Panchayat, Jashpur for constituting a departmental enquiry against the petitioner.

3. Learned Counsel for the petitioner submits that the petitioner has not been allowed to work nor salary has been paid since 27.09.2019 and that an enquiry cannot be initiated against a person who has already been terminated from services.
4. Be that as it may, petitioner has not challenged the order dated 27.09.2019 issued by Collector (Panchayat), Jashpur.
5. In our considered view, petitioner should file a fresh writ petition seeking quashment of all such orders passed by the Authorities which are adverse to his interest.
6. In view of the above, we dispose of the writ appeal allowing liberty to the petitioner to file a fresh duly constituted writ petition to agitate the grievances.

Sd/-

Prashant Kumar Mishra
Judge

Sd/-

Gautam Chourdiya
Judge

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