

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Appeal No. 452 of 2020**

*{Arising out of order dated 25/11/2020 passed by the learned Single Judge in
Writ Petition (S) No.4895 of 2020}*

S.K. Satpathi, S/o Shri K.R. Satpathi, Aged About 54 Years, Deputy Project Manager, Chhattisgarh Road and Infrastructure Development Corporation Ltd, District - Bilaspur Chhattisgarh.

---- Appellant**Versus**

1. State of Chhattisgarh Through, The Secretary, Public Works Department, Mahanadi Bhawan, Mantralaya, Atal Nagar, Raipur, District - Raipur Chhattisgarh.
2. The Engineer in Chief, Public Works Department, Chhattisgarh, Raipur, District Raipur Chhattisgarh.
3. The Chief Engineer, Public Works Department, Raipur, District Raipur Chhattisgarh.
4. The Committee, (Constituted by order dated 10.07.2020 for deciding the Representation of Assistant Engineers), Public Works Department, Mahanadi Bhawan, Atal Nagar, Naya Raipur, District Raipur Chhattisgarh.
5. The Chairman / President, Departmental Promotion Committee, Office of Chief Engineer, Public Works Department, Nirman Bhawan, North Block, Sector 19, Naya Raipur, Atal Nagar, District Raipur Chhattisgarh.
6. Santosh Kumar Netam, S/o Late Shri A.R. Netam, Aged About 41 Years R/o Village Bhairamgargh, District Bijapur Chhattisgarh.
7. Nitesh Tiwari, S/o Shri G.P. Tiwari, Aged About 39 Years, R/o Near Shiv Mandir, Vidya Nagar, District Bilaspur Chhattisgarh.

---- Respondents

For Appellant	:	Shri Anup Majumdar, Advocate.
For Respondent/State	:	Shri Sudeep Agrawal, Dy. Advocate General
For Respondents No.6 & 7 :	:	Shri Prafull N. Bharat, Advocate

Hon'ble Shri P. R. Ramachandra Menon, Chief Justice
Hon'ble Shri Parth Prateem Sahu, Judge

Judgment on Board**Per P. R. Ramachandra Menon, Chief Justice****09/12/2020**

1. The appeal has been filed by a person who is not party in the writ petition.

The writ appeal has been filed against the interim order dated 25/11/2020 in Writ Petition (S) No.4895 of 2020, which clearly shows that the order passed therein shall be subject to final outcome of Writ Petition (S) No.4524 of 2020 and the present writ petition i.e. Writ Petition (S) No.4895 of 2020.

2. By virtue of the mandate of proviso to Section 2(1) of the Chhattisgarh High Court (Appeal to Division Bench) Act, 2006, no appeal is maintainable against the interim order.
3. During the course of argument, the learned counsel appearing for the Appellant submits that the Appellant may be permitted to withdraw the matter without prejudice to the rights and liberties of the Appellant to proceed with appropriate remedy in accordance with law.
4. Permission is granted.
5. The writ appeal is dismissed as withdrawn with aforesaid liberty. It is made clear that this Court is not expressing anything with regard to the merit of the case.

Sd/-
(P. R. Ramachandra Menon)
Chief Justice

Sd/-
(Parth Prateem Sahu)
Judge