

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No. 5454 of 2020

1. Gopal Prasad Bind S/o Late Shobhnath Bind Aged About 54 Years R/o Rajkishore Nagar P.S. Sarkanda, District Bilaspur Chhattisgarh.

---Petitioner(s)

Versus

1. State of Chhattisgarh Through Secretary, General Administrative Department Mantralaya Mahanadi Bhawan, New Raipur District Raipur Chhattisgarh.
2. The Registrar Cooperative Society Raipur, Indravati Bhawan, New Raipur District Raipur Chhattisgarh.

---Respondents

For Petitioner	:	Shri Raj Kumar Gupta, Advocate.
For State	:	Shri Jitendra Pali, Dy. Advocate General.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

17.12.2020

1. The present writ petition seem to have been filed on an apprehension that the services of the petitioner may be terminated in the light of the correspondence dated 25.11.2020 whereby the authorities have ordered that all those cases where there is finding of the High Powered Caste Scrutiny Committee (in short, the Committee) of employment having obtained under false, fake or wrong caste certificate, their services should be terminated unless there is an interim protection from the High Court.
2. The contention of the petitioner is that from the enclosed list the respondents have not disclosed the fact that, the finding of the Committee so far as petitioner is concerned is subjected to challenge in WPC No.1159 of 2016 and where the High Court has already granted an interim protection on 03.05.2016. The apprehension is that the respondents may take a decision in violation of the order passed by this court on 03.05.2016 in the aforesaid writ petition and the petitioner may be terminated abruptly.

3. Learned counsel for the State at this juncture submits that there is no reason for petitioner's apprehension for the reason that admittedly there is a writ petition filed by him challenging the order of the Committee and the High Court has granted interim protection to the petitioner so far as any co-ercive steps to be taken by the department pursuant to the order of the Committee dated 31.03.2016. According to the State counsel, the petitioner should not have any apprehension as of now and the writ petition to that extent is premature.
4. Given the submissions made by the counsel for the parties and taking note of the order of the Committee dated 31.03.2016 and the same being subjected to challenge in WPC No.1159 of 2016 and there being an interim protection vide order of this Court dated 03.05.2016, this court is of the opinion that the respondents, as and when, intend to take any decision arising out of the order of the Committee dated 31.03.2016 so far as petitioner is concerned, it shall be keeping in view the order passed by this court on 03.05.2016 in WPC No.1159 of 2016 or any order subsequently passed by the High Court.
5. With the aforesaid observations the writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge