

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 8512 of 2019

Smt. Madhurekha Lader, aged about 52 years, W/o Atul Prakash Lader
(Lecturer Panchayat, High School, Bori, Block- Rajnandgaon), R/o Thana
Yatayat, Raigarh, District Raigarh Chhattisgarh.
--- **Petitioner**

Versus

1. State of Chhattisgarh through the Secretary, Panchayat and Rural Development Department, Atal Nagar, Mantralaya, New Raipur, District : Raipur, Chhattisgarh
2. The Director, Directorate of Public Instructions, Raipur, District Raipur Chhattisgarh.
3. The District Education Officer, Rajnandgaon, District Rajnandgaon, Chhattisgarh.
4. The Chief Executive Officer, Zila Panchayat, Rajnandgaon Chhattisgarh.

---- **Respondents**

For the Petitioner	: Mr. H. S. Patel, Advocate
For the Respondent	: Mr. Avinash Singh, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

04.02.2020

1. The grievance of the petitioner is that he was working as Lecturer (Panchayat) and because of her ill-health she could not attend the duties for certain period on medical ground. Consequently the petitioner was removed from service on 22.01.2013 by respondent no.4. The said order was subject of appeal before the Commissioner, Durg, Division and by order dated 21.05.2015 the Commissioner while setting aside the removal order remitted back the matter for passing orders afresh. Subsequently, the General Administration Committee of Zila Panchayat recommended for reinstatement of petitioner at Government Middle School Kulihapuri but the respondent no.4 affirmed the removal order which was passed earlier. Thereafter, the said order was subject of challenge

before the Commissioner. The Commissioner by order dated 08.12.2016 has set aside the order passed by respondent no.4. Consequently the order of reinstatement was initially passed on 04.08.2017 (Annexure P-1).

2. Learned counsel for the petitioner would submit that the litigation which is pending pertains to the period of absence between 01.03.2012 to 23.01.2017 and it was ordered that the petitioner's services may not be considered for that period. The petitioner submits that presently since the petitioner has been reinstated in service, she should have been given benefit for the period from 2012 to 2017, for which, the representation has been filed before the C.E.O., Zila Panchayat, Rajnandgaon, which is pending adjudication and prays that the said representation may be directed to be decided.
3. After perusal of the representation dated 22.2.2018 which is on record and considering the prayer made, the petitioner is given liberty to file a fresh representation along-with detailed pleadings before respondent no.4, within a period of 3 weeks from the date of receipt of this order and on such a representation being filed, the same shall be considered and decided within a further period of sixty days.
4. With the above observation/direction, the writ petition is disposed off.

Sd/-
(GOUTAM BHADURI)
JUDGE