

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No.6423 of 2010**

Prem Narayan Sengar, S/o. Shri Kalyan Singh, aged about 51 years, Office of Directorate Agriculture, Krishi Nagar, Lavandi, Raipur (CG)

----- **Petitioner**

Versus

1. State of Chhattisgarh, through its Secretary, Department of Agriculture, D.K.S.Bhawan, Raipur (CG)
2. Joint Director, Agriculture, Directorate Agriculture, Raipur (CG)
3. State of Madhya Pradesh through its Secretary, Department of Agriculture, Vallabh Bhawan, Bhopal (M.P.)

----- **Respondents**

For Petitioner	: Mr.Vinod Deshmukh, Advocate
For Respondents No.1&2	: Mr.Ravi Bhagat, Dy.G.A.
For Respondent No.3	: Mr.Malay Shrivastava, Advocate

Hon'ble Shri Justice Sanjay K. Agrawal
Order on Board

27.7.2021

1. Proceedings of this matter have been taken-up through video conferencing.
2. The short grievance raised in this writ petition is that the petitioner has been reverted to the post of Assistant Director, Agriculture from the post of Deputy Director, Agriculture by order dated 7.8.2010 (Annexure P-1) contrary to law and without giving an opportunity of hearing to him.
3. Mr.Vinod Deshmukh, learned counsel for the petitioner, would submit that along with the petitioner one more Deputy Director namely, Rajkumar Gonekar was reverted which he filed writ petition being WPS No.4699 of 2010

(Rajkumar Gonekar v. State of Chhattisgarh and others), which has been decided on 12.9.2017 and that writ petition has been allowed on the ground of violation of principles of natural justice, as such, the present writ petition may also be allowed in terms of paras-3 and 4 of the order passed in Rajkumar Gonekar (supra).

4. On the other hand, Mr. Ravi Bhagat, learned Deputy Government Advocate for respondents No.1 and 2, would submit that identical writ petition has allowed in the matter of Rajkumar Gonekar (supra).

5. I have heard learned counsel for the parties and considered their rival submissions made hereinabove and also went through the records with utmost circumspection.

6. This Court in the matter of Rajkumar Gonekar (supra) held as under:-

"3. In view of the above, this petition is allowed. Impugned order is set aside only on the ground of violation of principles of natural justice, though with liberty to respondent to afford opportunity of hearing and pass fresh order.

4. The petitioner for all legal and practical purposes shall be treated as having continued on the post of Dy. Director."

7. In that view of the matter, the instant writ petition is allowed in terms of paras-3 and 4 of the order passed in Rajkumar Gonekar (supra) and the impugned order dated 7.8.2010 (Annexure P-1) is hereby set aside. The matter is remitted to the respondent authority to pass afresh

order after hearing the petitioner in terms of order
passed in Rajkumar Gonekar (supra). No cost(s).

Sd/-

(Sanjay K.Agrawal)
Judge

B/-