

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3979 of 2011

- Shailesh Kumar Chouhan S/o Shri Shiv Kumar Chouhan, aged about 34 years, working on the post of Jalwahak at Adivasi Boys Hostel, Kewnchi Distt. Bilaspur C.G.

----- Petitioner

Versus

1. State of Chhattisgarh, through the Secretary, Department of SC/ST Development Department, Mantralaya, at D.K.S. Bhawan, Raipur, C.G.
2. The Secretary, C.G. State Anusuchit Jati Aayog, Raipur C.G.
3. The Collector, Office of Collector Adivasi Vikas Bilaspur, District Bilaspur, C.G.
4. The Assistant Commissioner, Tribal Development Bilaspur C.G.

----- Respondents

For Petitioner :- Mr. Sunil Sahu, Advocate.
For State/Respondent :- Mr. Aditya Sharma, PL

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

30/07/2021

1. Proceedings of this matter have been taken up through video conferencing.
2. Petitioner calls in question the impugned order dated 27.06.2011 by which petitioner's services as a daily wager has been dispensed with.
3. Learned counsel for the petitioner would submit that he was appointed on 14.05.2010 on the recommendation of Hon'ble Chief Minister but by the impugned order petitioner's appointment has been dismissed arbitrarily which is in violation of principle of natural justice.
4. Learned State counsel, would oppose the submission made by learned counsel for the petitioner and support the impugned order.
5. I have heard learned counsel for the parties, considered their rival submissions made herein-above and went through the records with utmost circumspection.
6. The impugned order clearly states that the appointment of petitioner was purely

temporary and he was not appointed in accordance with rules. Since the petitioner was not appointed as daily wager in accordance with rules and after hearing him the order of termination has been passed and, as such, I do not find any good ground to interdict the impugned order dated 27.06.2011.

7. Accordingly, the instant writ petition being devoid of merit is liable to be and is hereby dismissed in *limine*. No order as to cost(s).

Sd/-

(Sanjay K. Agrawal)
Judge

Ankit