

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No.5002 of 2014**

- Kamlesh Banjare, S/o Dharmoo Ram Banjare, Aged About 27 Years, R/o Village Dumarpali, PO Tundri, P.S. and Tah Dabhara Distt. Janjgir Champa, Chhattisgarh

----- Petitioner**Versus**

- 1.State Of Chhattisgarh Through The Secretary, Local Administration Department, Mantralaya Mahanadi Bhawan New Raipur, Chhattisgarh
- 2.Municipal Council, Janjgir Naila Through Chief Municipal Officer, Janjgir Naila, Tah and PS Janjgir, District Janjgir-Champa, Chhattisgarh
- 3.Arun Kumar Sharma, Aged About 50 Years, Chief Municipal Officer, Janjgir Naila, Tah And P.S. Janjgir, Distt. Janjgir Champa, Chhattisgarh

----- Respondents

For Petitioner	Mr. Ravindra Sharma, Adv
For Respondent-State	Mr. Siddharth Dubey, Dy. GA
For Respondent No.2	Mr. Ishwar Jaiswal, Adv

Hon'ble Justice Shri Sanjay K. Agrawal**Order On Board****07/10/2021**

1. Mr. Sharma, learned counsel for the petitioner, would submit that though the petitioner has been selected on the post of Shiksha Karmi Grade-III in the Establishment of Municipal Council, Janjgir Naila, but the

appointment letter issued on 03.03.2014 to give joining till 05.03.2014 was received by the petitioner on 07.03.2014, therefore, it was not possible for the petitioner to give his joining on or before 05.03.2014. Thereafter, on 08.03.2014, the petitioner appeared before the respondent No.3 to give his joining, but the same was not accepted citing reason that the code of conduct is in force due to parliamentary election. Thereafter, on 30.05.2014 the petitioner again appeared before the respondent No.3 to give his joining, but the respondent No.3 refused to accept the joining of the petitioner, as the petitioner was required to give his joining on or before 05.03.2014. The petitioner has also made representation to the respondent authorities in this regard, but the same has not been considered and decided till date. Therefore, the respondent authorities may be directed to consider the case of the petitioner.

2. Mr. Dubey, learned State counsel and Mr. Jaiswal, learned counsel for the respondent

No.2, would submit that if the petitioner makes a fresh representation to the respondent authorities, the same shall be considered and decided expeditiously.

3. Be that as it may, if the petitioner makes a fresh representation to the respondent authorities within a period of 2 weeks from today, the respondent authorities are directed to consider and decide the petitioner's representation strictly in accordance with law by a reasoned and speaking order within next 4 weeks. The petitioner is at liberty to adduce documents in support of the joining letter received on 07.03.2014.
4. With the aforesaid observation and direction, the writ petition stands disposed of. No order as to cost (s).

Sd/-

Sanjay K. Agrawal
Judge

Nirala