

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 5994 of 2011**

Ashutosh Kumar Soni, S/o Shri Ram Lal Soni, Aged about 29 years, R/o Kalyan Aashram, Jashpur Nagar, Tahsil and Distt. Jashpur, Chhattisgarh.

---Petitioner**Versus**

- 1.State of Chhattisgarh, Through the Secretary, Department of Forest, D.K.S. Bhawan, Raipur, Chhattisgarh.
- 2.Principal Chief Conservator of Forest, Aranya Bhawan, Medical College Road, Raipur, Distt. Raipur, Chhattisgarh.
- 3.Chief Conservator of Forest (Administration/Non-Gazetted), Raipur, Distt. Raipur, Chhattisgarh.
- 4.Conservator of Forest, Sarguja Circle, Ambikapur, Distt. Sarguja, Chhattisgarh.
- 5.Divisional Forest Officer, Jashpur Forest Division, Jashpur, Distt. Jashpur, Chhattisgarh.

--- Respondents

For Petitioner	:-	Mr. V.K. Pandey, Advocate
For State	:-	Mr. Sunil Otvani, Addl. A.G.

Hon'ble Shri Justice Sanjay K. Agrawal
Order on Board (Through Video Conferencing)

09/06/2021

1. The service of the petitioner herein was regularized by vide order dated 23/09/2009 (Annexure P-6) on the post of 'Data Entry Operator', but all of a sudden, by impugned order dated 15/03/2010 (Annexure P-1) the order of regularization has been revoked/annulled against which this writ petition has been preferred by the petitioner.
2. Mr. V.K. Pandey, learned counsel appearing for the petitioner, would submit that service of the petitioner has been regularized on the post of 'Data Entry Operator' vide order dated 23/09/2009, but it has been revoked/annulled by the order impugned dated 15/03/2010 without affording minimum opportunity of hearing to him which is in violation of principles of natural justice, therefore, the impugned order deserves to be set aside.
3. Mr. Sunil Otwani, learned Additional Advocate General, would submit that petitioner's regularization order was passed contrary to the statutory rules applicable therein, therefore, it has rightly been revoked by the impugned order.
4. I have heard learned counsel for the parties, considered their rival submissions made herein-above and perused the record carefully.

5. It is not in dispute that petitioner's service was regularized on the post of 'Data Entry Operator' on 23/09/2009 and it is also not in dispute that the order of regularization has been revoked/annulled by impugned order dated 15/03/2010 without giving an opportunity of hearing to him which is absolutely in violation of principles of natural justice. Once the order of regularization was passed, it could not have been revoked/annulled without affording an opportunity of hearing to the petitioner. As such, the impugned order dated 15/03/2010 (Annexure P-1) is hereby set aside. However, respondents are at liberty to proceed in accordance with law.

6. With the aforesaid observation, this writ petition is allowed to the extent indicated herein-above. No cost(s).

Sd/-
(Sanjay K. Agrawal)
Judge

Harneet