

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 1316 of 2021**

Santosh Kumar Rajwade S/o Shri Babulal Rajwade Aged About 52 Years
R/o Gram Panchayat Amarpur, Janpad Panchayat Baikunthpur, Civil And
Revenue District Koriya Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Panchayat, Capital Complex, Mahanadi Bhawan, Atal Nagar, Nava Raipur Civil And Revenue District Raipur Chhattisgarh
2. Zila Panchayat Koriya Through Its Chief Executive Officer, Civil And Revenue District Koriya Chhattisgarh
3. Janpad Panchayat Baikunthpur Through Its Chief Executive Officer, Baikunthpur, Civil And Revenue District Koriya Chhattisgarh
4. Collector District Koriya Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Kaushal Yadav, Advocate
For State	:	Mr. Wasim Miyan, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy
Order on Board

15/03/2021

1. The challenge in the present writ petition is to the order Annexure P/9 dated 05.09.2020 whereby the contractual service of the petitioner has been discontinued after issuing with a one month salary in lieu of notice in terms of Rule 11(5) of the **Chhattisgarh Civil Services (Contractual Appointment) Rules, 2012**.
2. Perusal of the record would show that the petitioner substantively was appointed on contractual basis for a period of one year, which stood continued periodically for specified period and in all the extended period, it was specifically mentioned that the services of the petitioner would be firstly governed by the aforementioned Rules

of 2012 and that the services of the petitioner can be discontinued anytime after issuing one month of notice or payment of one month of salary. In the instant case, it reflects that the petitioner has been paid one month of salary and at the same time, there also seems to be a show cause notice already issued to the petitioner before passing of the impugned order Annexure P/9.

3. Given the said facts, this Court does not find any strong case made out by the petitioner calling for any interference with the impugned order, particularly for the reason that the substantial nature of appointment of the petitioner was contractual service. The services have been discontinued invoking the provisions of Rule 11(5) of the Rules of 2012, which provides how the services of the petitioner can be discontinued and moreover right from the initial appointment till the period of discontinuance the petitioner remained under the respondents as a contractual employee.
4. Given the said facts, the writ petition fails and is accordingly rejected.

Sd/-
(P. Sam Koshy)
Judge

Ved