

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 5991 of 2009

- Nem Singh Sarva S/o Shri Govind Ram Sarva,
aged about 27 years, R/o Village Ranitarai
Tahsil Balod, Distt. Durg C.G.

----- Petitioner

Versus

1. State of Chhattisgarh through Secretary
Panchayat Department, Dau Kalyan Singh
Bhawan Raipur, C.G.
2. The Secretary, Tribal Welfare Department,
D.K.S. Bhawan, Raipur, C.G.
3. Janpad Panchayat, Dondi, through the Chief
Executive Officer, District Durg, C.G.
4. Block Education Officer, Dondi, Tribal
Welfare Department, Dondi District Durg,
C.G.
5. Chief Executive Officer, Janpad Panchayat,
Dondi, District Durg, C.G.

----- Respondents

For Petitioner :- Mr. Prateek Sharma, Advocate.
For Respondents No. 3 to 6 :- Mr. Rakesh Kumar
Jha, Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

28/07/2021

1. Proceedings of this matter have been taken up through video conferencing.
2. Petitioner calls in question the impugned order dated 11.09.2009 by which appointment of the petitioner on the post of Siksha Karmi Grade-III has been set aside.
3. Mr. Prateek Sharma, learned counsel for petitioner, would submit that he was duly appointed on the post of Siksha Karmi Grade-III by Janpad Panchayat, Dondi and he has joined on the said post on 13.07.2009 and he was also undergone training on 20.08.2009 but thereafter without rhyme and reason by order dated 11.09.2009 he has been terminated which is in violation of principle of natural justice and, therefore, the impugned order is liable to be set aside.
4. Mr. Rakesh Kumar Jha, learned counsel for the respondents No.3 to 6, would oppose the

submission made by learned counsel for petitioner and support the impugned order.

5.I have heard learned counsel for the parties, considered their rival submissions herein-above and went through the records with utmost circumspection.

6.It is not in dispute that the petitioner was appointed on the post of Shiksha Karmi, Grade-III by respondent No.3-Janpad Panchayat, Dondi, on 30.06.2009 and he has joined on 13.07.2009 but he has been terminated on 11.09.2009 without affording opportunity of hearing and without giving any notice to defend himself which is in the violation of principle of natural justice.

7.In view of that the impugned order dated 11.09.2009 is set aside and the matter is remitted to respondent No.3 to pass the fresh after giving opportunity of hearing to the petitioner within 45 days from the date of receipt of copy of this order. However petitioner is at liberty to make additional representation before the respondent-Janpad

Panchayat.

8. The petition is allowed to the extent indicated herein-above.

Sd/-
(Sanjay K. Agrawal)
Judge

Ankit