

**HIGH COURT OF CHHATTISGARH, BILASPUR****CONT No. 278 of 2019**

Smt. Manjulata Sharma, W/o. Shri Ajay Sharma, Aged About 46 Years,  
Presently Working As Assistant Grade- II, Office Of District Collector,  
Korba, District Korba, Chhattisgarh.

---- **Petitioner**

**Versus**

1. N.K. Khakha, Secretary, Department Of Revenue And Disaster Management, Mantralaya, Mahanadi Bhawan, Atal Nagar, Raipur, District Raipur Chhattisgarh.
2. N.R. Sahu, Deputy Secretary, Department Of Revenue And Disaster Management, Mantralaya Mahanadi Bhawan, Atal Nagar, Raipur, District Raipur Chhattisgarh.

---- **Respondents**

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| For Petitioner  | : | Mr. C. Jayant K. Rao with Mr. Vikram Jaiswal, Advocates |
| For Respondents | : | Mr. Vipin Tiwari, Advocate                              |

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**Hon'ble Shri Justice Goutam Bhaduri****Order On Board**

**12.03.2021**

Heard

1. Learned counsel for the petitioner refers to the note sheet pursuant to the order passed by this Court on 28.05.2018. He would submit that the note sheet reflects that the permission was accorded by the concerned Minister and orders were directed to be passed. However, the then Secretary N.K.Khakha exceeded his jurisdiction probably for the personal bias and subsequently made a misleading statement before this Court. He would further submit that when the note sheet would show initially it was decided to consider the case of the petitioner pursuant to the order of this Court, then there was no occasion on the part of the then Secretary, N.K.Khakha, since retired to over reach the order. It is further submitted that for obvious reasons the orders have been passed and misstatement of facts were made that other employee.
2. After going through the note sheet which is placed on record, it appears that the highest authority of the department has accorded the permission

i.e. Minister and under what circumstances the Secretary went on of his own, it is not clear. Prima facie, it appears after perusal of the documents and the note sheet that the officer in-charge tried to over-reach the orders.

3. Learned counsel for the respondents would submit that presently from the post of Secretary N.K.Khakha has retired and N.R.Sahu is working. He would submit that considering the earlier note sheet passed by the Minister, they are ready to reconsider the representation of the petitioner without any prejudice as was ordered by the Minister. Accordingly, it is ordered. Since the submission has been made that they would reconsider the representation of the petitioner, they may do so within a further period of 60 days from the date of receipt of a copy of this order and the subsequent order which is passed by the respondents dated 31.10.2018 (Annexure R-1) & 30.10.2018 (Annexure R-2) shall not be come on way in reconsideration of the representation.
4. In view of such submission made that the respondents/State has decided to reconsider the representation, the rule is discharged. The petition stands disposed of.

**Sd/-**  
**(Goutam Bhaduri)**  
Judge

Aks