

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 3540 of 2020**

Mahabalendra Patel S/o Shri Ramji Patel, Aged About 32 Years, R/o Village Kailashpur, Tahsil Wadrafnagar, District Balrampur-Ramanujganj Chhattisgarh

--- Petitioner

Versus

1. State Of Chhattisgarh Through its Secretary, Department Of Panchayat, Mantralaya, Atal Nagar, Nawa Raipur, District Raipur Chhattisgarh
2. The Collector, Balrampur-Ramanujganj, District Balrampur-Ramanujganj, Chhattisgarh
3. The Joint Director, Urban Administration And Development Department, Ambikapur, District Surguja, Chhattisgarh
4. The Chief Executive Officer, Jila Panchayat Balrampur-Ramanujganj District Balrampur-Ramanujganj, Chhattisgarh
5. Chief Executive Officer, Nagar Panchayat, Wadrafnagar, District Balrampur-Ramanujganj, Chhattisgarh
6. District Education Officer, Balrampur-Ramanujganj, District Balrampur-Ramanujganj, Chhattisgarh
7. Government Rani Durgawati Mahavidyalaya Wadrafnagar, District Balrampur-Ramanujganj Chhattisgarh Through Its Principal
8. Ashish Kumar Patel S/o Shiv Lal Patel, Aged About 31 Years Occupation Shiksha Karmi Grade I, Govt. Girls, Higher Secondary, Wadrafnagar, District Balrampur-Ramanujganj Chhattisgarh At Present R/o Village Pantara, Post Bartikala, Tahsil Wadrafnagar, District Balrampur-Ramanujganj, Chhattisgarh

--- Respondents

For Petitioner	:	Mr. D. Kushwaha, Advocate
For State	:	Mr. Sudeep Verma, Dy. Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy

Order On Board

04.01.2021

1. The present writ petition has been filed seeking for the following relief:

"That this Hon'ble Court may kindly be pleased to issue a writ/or writs/order/or orders directing the respondent authorities to decide

the representation (Annexure P-1) filed by the petitioner within a stipulated period of time and further be pleased to take appropriate action as per service law against the respondent no.8 in the ends of justice.”

2. At the outset, this Court is of the opinion that the writ petition in its present form is not sustainable for the reason that the writ petition has not been filed by the petitioner aggrieved of any of his fundamental rights being infringed. It appears that the writ petition has been filed against the services which the respondent no.8 has rendered with the respondents. The said grievance of the petitioner is not one which could be entertained in a writ petition preferred under the service roster.
3. It is settled position of law that under the service jurisprudence, a person who can approach the writ Court is the aggrieved person or the employee or employer whose right has been adversely affected by any action or decision. In the instant case, first of all, the petitioner is not an employee. Secondly, he is a villager and has filed the writ petition being aggrieved of the employment/service rendered by the respondent no.8.
4. The present writ petition therefore would not be maintainable and the same stands rejected on this ground alone reserving the right of the petitioner to avail other appropriate remedies open to him.

Sd/-
P. Sam Koshy
Judge