

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****WA No. 284 of 2021****(Arising out of order dated 02-08-2021 passed by the learned Single Judge in WPS No. 799 of 2010)**

1. Mehendi Husain S/o Late Shri Munshrim Ansari Aged About 48 Years R/o - Mominpura, Ambikapur, Distt.- Surguja Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh

---- Appellant**Versus****Chhattisgarh State Electricity Distribution Company Limited through:-**

1. Chief Engineer (Sancha. Sandha./ Ra. She.) Chhattisgarh State Electricity Distribution Company Limited, Raipur (Chhattisgarh), District : Raipur, Chhattisgarh
2. Superintendent Engineer Durg Circle, Chhattisgarh State Electricity Distribution Company Limited, Durg (Chhattisgarh)
3. Executive Engineer (Sancha. Sandha.) Chhattisgarh State Electricity Distribution Company Limited, Bhilai Division, District Durg (Chhattisgarh)
4. Executive Engineer Chhattisgarh State Electricity Distribution Company Limited, District Durg (Chhattisgarh)

---- Respondents

For Appellant : Shri Abdul Wahab Khan, Advocate.

Hon'ble Shri Prashant Kumar Mishra, Ag. Chief Justice**Hon'ble Smt Justice Rajani Dubey****Order on Board****By****Hon'ble Shri Prashant Kumar Mishra, Ag.Chief Justice.**

17/09/2021

1. Heard.
2. Challenging the order of termination dated 28-01-2009, the petitioner preferred an appeal before the appellate authority under the provisions of Chhattisgarh Civil Services (Classification, Control & Appeal) Rules, 1966 (henceforth 'Rules, 1966'). The appeal was also dismissed by the appellate authority on 25-09-2009. Challenging both the orders, petitioner preferred the writ petition which has now been allowed in part and the learned Single Judge has set aside the orders passed by the appellate authority on the ground of infraction of Rule 27 (2) of Rules, 1966 inasmuch as the order passed by the appellate authority was not a reasoned order. Learned Single Judge has directed the appellate authority to decide the petitioner's appeal afresh in accordance with Rule 27 (2) of Rules, 1966 within sixty days from the date of receipt of copy of this order and to pass a reasoned and speaking order after hearing the petitioner, in accordance with law. Petitioner has also been allowed to make an additional representation/submission before the appellate authority.
3. After arguing for some time, Shri Abdul Wahab Khan, learned counsel for the appellant prays that the writ appeal may be disposed of allowing the petitioner to avail the opportunity reserved in his favour by the learned Single Judge and to bind the appellate authority to decide the appeal within outer time limit.
4. In view of prayer made, the writ appeal is disposed of with observation that the petitioner may avail the opportunity reserved in his favour by the learned Single Judge within three weeks from now and thereafter, the appellate authority shall decide the appeal within an outer limit of sixty days in

accordance with the order passed by the learned Single Judge.

5. Accordingly, the present writ appeal is disposed of with the above observations.

SD/-
(Prashant Kumar Mishra)
Acting Chief Justice

SD/-
(Rajani Dubey)
Judge

Amardeep