

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 5039 of 2016**

Pushpa Singh W/o Awadhraj Singh, Aged about 36 years, R/o Old Bus Stand, Narayanpur, Police Station & District Narayanpur, Chhattisgarh.

---Petitioner

Versus

- 1.State of Chhattisgarh, Through Secretary, Panchayat and Rural Development Department, Mahanadi Bhawan, Police Station New Raipur, Tahsil Raipur, Civil and Revenue District Raipur, Chhattisgarh.
- 2.Director, Directorate of Panchayat Department, Indrawati Bhawan, Police Station New Raipur, Tahsil Raipur, Civil and Revenue Distt. Raipur, Chhattisgarh.
- 3.Collector, Narayanpur, Police Station, Distt. Narayanpur, Chhattisgarh.
- 4.Chief Executive Officer, District Panchayat, Narayanpur, Distt. Narayanpur, Chhattisgarh.

--- Respondents

For Petitioner :- Mr. Vaibhav A. Goverdhan, Advocate
For Respondents 1-3/State :- Mr. Ravi Bhagat, Dy. G.A.
For Respondent No. 4:- Mr. Akhilesh Kumar, Advocate

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board (Through Video Conferencing)

20/07/2021

1. Petitioner herein calls in question the order dated 19/08/2016 (Annexure P-1) by which his order granting promotion on the post of Lecturer Panchayat has been cancelled.
2. Mr. Vaibhav A. Goverdhan, learned counsel for the petitioner, would submit that once petitioner has been promoted on the post of Lecturer Panchayat and he was holding the said post, his order of promotion could not have been cancelled without following the principles of natural justice and affording him minimum opportunity of hearing, therefore, the impugned order (Annexure P-1) deserves to be set aside.
3. Mr. Ravi Bhagat, learned State counsel and Mr. Akhilesh Kumar, learned counsel for respondent No. 4, would support the impugned order.
4. I have heard learned counsel for the parties at length.
5. It is not in dispute that petitioner was holding the post of Lecturer Panchayat on which he was promoted from the post of Teacher Panchayat, but the order of petitioner's promotion has been cancelled by the impugned order (Annexure P-1) without affording minimum opportunity of hearing to the petitioner which is unsustainable and bad I

law as it involves the drastic consequence of taking away petitioner's right of holding the promotional post of Lecturer Panchayat. As such, the impugned order dated 19/08/2016 (Annexure P-1) is hereby quashed. However, respondents are at liberty to proceed in accordance with law.

6. Accordingly, the writ petition is allowed to the extent indicated herein-above. No cost(s)

Sd/-
(Sanjay K. Agrawal)
Judge

Harneet