

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 5514 of 2020**

1. Suratiya Khare W/o Bhuneshwar Khare Aged About 36 Years R/o Tekahardi, Tahsil Dongargaon, Post Bakal, District Rajnandgaon Chhattisgarh
---Petitioner

Versus

1. State Of Chhattisgarh Through The Principal Secretary, Women And Child Development Department, Mantralaya, Mahanadi Bhawan, Atal Nagar Nawa Raipur District Raipur Chhattisgarh
2. Project Officer Women And Child Development Project, Dongargaon, District Rajnandgaon Chhattisgarh
3. Chief Executive Officer Janpad Panchayat Dongargaon, District Rajnandgaon Chhattisgarh
---- Respondents

For Petitioner	:	Shri Abhishek Pandey, Advocate
For State	:	Shri Rahul Jha, G.A.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****27.01.2021**

1. The grievance of the petitioner in the present writ petition seems to be not granting wages for the period between June 2013 to October 2020. During the said period, the petitioner stood terminated from service.
2. However, at the behest of an order passed by the Division Bench of this Court in Writ Appeal No. 35/2020 decided on 15.01.2020 remitted the matter back to the Collector for deciding the appeal on merits. The Appellate Authority subsequently vide order dated 05.08.2020 has allowed the appeal setting aside the order of termination dated 21.06.2013. That though subsequently, the petitioner has been taken back in service but the respondent does not seem to have considered

the consequential relief that the petitioner would be entitled for including any monetary benefits or wages for the intervening period. The petitioner has already preferred a detailed representation in this regard to the respondent No. 2.

3. Once when the order of termination has been set aside and the petitioner stands reinstated in service, there can be no dispute so far as the petitioner being entitled for the consequential benefits as if the order of termination was never in existence.
4. However, as regards whether she is entitled for actual monetary benefit or as to how that period has to be treated is a matter which ought to have been considered by the Disciplinary Authority which in the instant case, there does not seem to be any order in this regard.
5. In view of the same, let the respondent No. 2 take an appropriate decision in this regard at the earliest preferably within a period of 60 days from the date of receipt of copy of this order.
6. Accordingly, the writ petition stands disposed of.

Sd/-

P. Sam Koshy
Judge