



2026:CGHC:13449

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 1160 of 2021

Ishwardhar Kurrey S/o Shri Ude Ram Kurrey Aged About 45 Years Appointed And Work On The Post Of Shikshakarmi 3 At Government Primary School, Ranbod, R/o Village- Jhal, Post Godamor, Janpad Panchayat Nawagarh, Tahsil Nawagarh, District- Durg, Chhattisgarh. Pin No. 491337, Mob No. 961766072.
... **Petitioner**

versus

- 1** - Divisional Commissioner Durg Division Durg Tahsil and District- Durg, Chhattisgarh.
2 - Collector Bemetara Tahsil And District- Bemetara, Chhattisgarh.
3-Collector Durg Tahsil And District- Durg, Chhattisgarh.
4-Chief Executive Officer Janpad Panchayat Nawagarh, Tahsil- Nawagarh, District- Bemetara, Chhattisgarh.
5-Janpad Panchayat Nawagarh Through The General Administration Committee, Janpad Panchayat Nawagarh, Tahsil- Nawagarh, District- Bemetara, Chhattisgarh.
6-The Secretary School Education Department, Mahanadi Bhawan, Atal Nagar, Naya Raipur, Chhattisgarh.
... **Respondent(s)**

For Petitioner	:	Mr. Vijay K. Deshmukh, Advocate
For State	:	Ms. Saumya Sharma, Panel Lawyer
For Respondents No.4 & 5:	:	Mr. Pankaj Singh, Advocate

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

20/03/2026

1. At the very outset, Mr. Deshmukh would fairly submit that the petitioner was appointed as Shikshakarmi Grade-3, and his

appointment was cancelled by the Collector, Durg, vide order dated 02.12.2008. He would contend that due to mistake, a revision was preferred before the Commissioner, which was dismissed for want of prosecution vide order dated 29.11.2011. He would further submit that the petitioner should have preferred an appeal against the order passed by the Collector dated 02.12.2008; thus, he would pray that the petitioner may be permitted to withdraw this writ petition with liberty to prefer a duly constituted appeal before the appellate authority.

2. On the other hand, learned counsel appearing for the respondents would oppose the submission made by counsel for the petitioners and submit that the order was passed by the Collector, Durg way back in the year 2008, and revision preferred before the Commissioner, has been dismissed for want of prosecution. It is argued that despite having knowledge of the said fact, the petitioner preferred this petition; thus, the petition deserves to be dismissed.
3. Heard.
4. It is true that the order of cancellation of appointment was passed by the Collector, against which the petitioner preferred a revision, which was dismissed for want of prosecution vide order dated 29.11.2011.
5. The remedy available to the petitioner was to prefer an appeal according to the provisions of the Chhattisgarh Panchayats (Appeal and Revision) Rules, 1995, but due to inadvertence, a revision was preferred.

6. The petitioner cannot be left remediless; therefore, in the interest of justice, the petition is, at this juncture, **disposed of** granting liberty in favour of the petitioner to prefer an appeal before the appellate authority under the Rules of 1995.
7. It is made clear that the dismissal of the revision by the Commissioner should not come in the way of the disposal of the appeal preferred by the petitioner.
8. Certified copy, if any, be returned to the petitioner after retaining xerox copy of the same.

Sd/-

Rakesh Mohan Pandey

JUDGE

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