



2025:CGHC:39637



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 1903 of 2021**

- Sumeet Kumar Jha S/o Shri S.M. Jha Aged About 43 Years Prsently Posted And Working As Data Entry Operator (Daily Wager), In The Office Of Chief Executive Officer, Janpad Panchayat Bemetara , District Bemetara Chhattisgarh., District : Bemetara, Chhattisgarh
... **Petitioner(s)**

versus

1. State Of C.G. Through Its Secretary, Department Of Panchayat And Rural Development , Mantralaya , Mahanadi Bhawan, Atal Nagar , Naya Raipur , District Raipur , Chhattisgarh., District : Raipur, Chhattisgarh
2. Collector Bemetara District Bemetara Chhattisgarh., District : Bemetara, Chhattisgarh
3. Chief Executive Officer Jila Panchayat , Bemetara , District Bemetara Chhattisgarh., District : Bemetara, Chhattisgarh
4. Chief Executive Officer Janpad Panchayat , Bemetara , District Bemetara , Chhattisgarh., District : Bemetara, Chhattisgarh
... **Respondent(s)**

For Petitioner	:	None
For State	:	Mr. Pramod Shrivastava, Dy. G.A.
For Respondent No. 4	:	Mr. H.S. Ahluwalia, Advocate

Hon'ble Shri Justice Rakesh Mohan Pandey
Order On Board

07-08-2025

- 1) By way of this petition, the petitioner has sought the following reliefs:-

10.1 That, Hon'ble Court may kindly be pleased to direct the respondents to produce entire records relating to case of the Petitioner.



10.2 That, Hon'ble Court may kindly be pleased to issue a suitable writ and direct the respondents to quash the notice/order dated-29.11.2019 (Annexure-P/1) issued by respondent no.4.

10.3 That, Hon'ble Court may kindly be pleased to issue a suitable writ and direct the respondents to pay the salary of petitioner of termination period i.e. from 01.02.2018 to 14.02.2018 within a period of 30 days.

10.4 That, the Hon'ble Court may kindly be pleased to grant any other relief which this Hon'ble Court deems fit and proper in the facts and circumstances of the case.

- 2)** Facts of the present case are that the petitioner was initially appointed to the post of Data Entry Operator on daily wages under the Chief Executive Officer, Janpad Panchayat Bemetara, i.e. respondent No. 4 vide order dated 03.08.2005. Vide order dated 01.02.2018, his services were terminated by respondent No. 4 without affording the opportunity of hearing. The said order was quashed by the Coordinate Bench in WPS No. 13 of 2016 vide order dated 03.12.2018 wherein the order of re-instatement was passed and the claim of the petitioner with regard to regularisation on the said post was left open for the employer to decide it in accordance with the law. Subsequently, the petitioner was reinstated in the service on 15.2.2019. The petitioner moved an application on 03.05.2019 claiming therein arrears of salary for the period between 01.02.2018 and 14.2.2019, and the said application was rejected by respondent No. 2 vide order dated 29.11.2019.
- 3)** There is no representation on behalf of the petitioner.
- 4)** Mr. H.S. Ahluwalia, counsel appearing on behalf of respondent No. 4, submits that the petitioner made a representation on 30.05.2019



seeking arrears of salary, but he has nowhere stated that he was not gainfully employed anywhere between 01.02.2018 and the date of reinstatement; therefore, his representation was rightly rejected.

- 5) Learned State counsel supports the contention made by Mr. Ahluwalia.
- 6) Heard learned counsel for the respondents and perused the documents placed on the record.
- 7) At the relevant time, the petitioner was working on the post of Data Entry Operator under respondent No. 4 on daily wages and his services were terminated vide order dated 01.02.2018. The decision was taken by respondent No. 4 without following the principles of natural justice; therefore, the order of termination was set aside, and a direction was issued in WPS No. 13 of 2016 with regard to the reinstatement of the petitioner. Subsequently, the petitioner joined service on 15.2.2019 and moved a representation before respondent No. 4 on 30.05.2019 claiming therein arrears of salary from 01.02.2018 till 14.2.2019.
- 8) Perusal of the representation dated 30.05.2019 would show that the petitioner has nowhere stated that he was not gainfully employed anywhere, whereas it is a prerequisite to claim arrears of salary.
- 9) Taking into consideration the above-discussed facts, in the opinion of this Court, no case is made out for interference with the order passed by respondent No. 4 dated 29.11.2019. Consequently, this petition fails and is hereby **dismissed**.

Sd/-
(Rakesh Mohan Pandey)
JUDGE