



NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 2086 of 2023

VISHAKHA
BEOHAR

Digitally
signed by
VISHAKHA
BEOHAR

1 - Tamradhwaj Sahu S/o Shri Rannu Lal Sahu Aged About 40 Years
Earlier Posted As Assistant Teacher Panchayat, At Government Primary
School Kamarpara, R/o Village Kandekela, Tahsil Mainpur District
Gariyaband Chhattisgarh

... Petitioner(s)

versus

1 - State Of Chhattisgarh Through The Secretary, Department Of
Panchayat And Rural Development, Mantralaya, Mahanadi Bhawan,
Naya Raipur, District Raipur Chhattisgarh

2 - Chief Executive Officer Janpad Panchayat Mainpur District
Gariyaband Chhattisgarh

3 - General Administration Committee Through Its President Smt.
Nurmati Manjhi Janpad Panchayat Mainpur District Gariyaband
Chhattisgarh

4 - Shiksha Samiti Through Its President Smt. Nand Kumari Rajput
Janpad Panchayat Mainpur District Gariyaband Chhattisgarh

... Respondents

(Cause-title taken from the Case Information System)

For Petitioner :- Mr. Ishaan Saluja, Advocate on behalf of Mr.

Mateen Siddiqui, Advocate

For State :- Mr. Ujjawal Choubey, P.L.

SB-Hon'ble Shri Justice Amitendra Kishore Prasad

Order on Board

26.02.2026

1. The petitioner has filed this Writ Petition seeking following reliefs:-

“10.1 That, this Hon'ble Court please to direct the respondent CEO Janpad Panchayat Maipur, General Administrative Committee & Shiksha Samiti Mainpur to decided the representation of the petitioner, in light of order Dated 05.07.2019 passed by the Hon'ble Division Bench in W.A.No, 126/2016 (Sheikh Imamuddin Vs State of C.G.& Ors).

10.2 grant any other writ(s), order(s), relief(s) in favour of the petitioner, which the Hon'ble Court deemed fit & just in the facts and circumstances of the case, including award of the costs to the petitioner.

10.3 to kindly be quash/set-aside the order dated 31.07.2019 passed by the Collector, Gariyaband (Annexure P/4)

10.4 to kindly be quash/set-aside the order dated 02.02.2021 passed by the Commissioner, Raipur Division (Annexure P/5)

10.5 to kindly be quash-set-aside the order dated 02.02.2021 passed by the Special

*Secretary, Directorate of Panchayat, Raipur
(Annexure P/6)”*

2. At the outset, learned counsel for the parties submit that the issue involved in the present writ petition stands squarely covered by the judgment rendered by this Court in Writ Appeal No. 340/2021 **(Rajesh Kumar Rajput vs. State of Chhattisgarh and others)** decided by this Hon’ble Court on **31.03.2024**. It is jointly prayed that the present writ petition may also be disposed of in terms of the observations and findings recorded therein. The relevant paragraphs of the said judgment are reproduced below:—

“5. As it stood, the order passed by the Collector, Gariyaband on 28.2.2015 terminating the services of the Appellant from the post of Shiksha Karmi Grade- III on 28.2.2015 is stigmatic in nature and against which, the Appellant did not prefer appeal before the Commissioner right in time. However, once the appeal of a similarly situated employee, i.e., Writ Appeal No.126 of 2016 (Sheikh Imamuddin v. State of Chhattisgarh & Ors.) was allowed by the Division Bench on 5.7.2019, the Appellant had moved before the Commissioner, Raipur Division in an appeal which was dismissed by the Commissioner on the ground of limitation and it was upheld by the Special Secretary, Directorate of Panchayat as well as by the learned Single Judge.

6. Be that as it may, we are of the considered opinion that since the case of a similarly situated employee has already been allowed by the Division Bench in afore-mentioned Writ Appeal No.126 of 2016, the Order dated 12.8.2021 passed by learned Single Judge affirming the Order dated 29.12.2020 passed by the Special Secretary, Directorate of Panchayat, Naya Raipur and the Order dated 31.7.2019 passed by the Commissioner, Raipur Division, Raipur, all these orders are hereby set-aside/quashed. The matter is remitted back to the Commissioner, Raipur Division, Raipur for hearing the appeal of the Appellant on its own merits in accordance with law and deciding the same at the earliest, preferably within a period of three months from the date of receipt/presentation of certified copy of this Order.

7. the Parties are directed to appear before Commissioner, Raipur Division, Raipur on 15.4.2024.

8. Let a certified copy of this Order be transmitted forthwith to the Commissioner, Raipur Division, Raipur for information and necessary action at the earliest.

9. With aforesaid observations, this Writ Appeal is disposed of."

3. Since the grievance of the petitioner is identical to the one considered in Writ Appeal No. 340/2021 **(Rajesh Kumar Rajput**

vs. State of Chhattisgarh and others) decided by this Hon'ble Court on **31.03.2024**, and the petitioner in the present case is also seeking the same relief, the writ petition is accordingly **disposed of** in terms of and in line with the aforesaid judgment.

No order as to cost(s).

Sd/-
(Amitendra Kishore Prasad)
Judge

Vishakha