

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

Writ Petition (S) No.2885 of 2024Sanjay Kumar Markam **Versus** State of Chhattisgarh

31.05.2024	Mr. Vivek Kumar Agrawal, counsel for the petitioners. Mr. Gary Mukhopadhyay, G.A. for the State. Heard. Issue notice to the respondent. Since Mr. Gary Mukhopadhyay, G.A. accepts notice on behalf of the respondent/State, P.F. need not be paid. Heard on I.A. No.01/2024, an application for grant of interim relief. Shri Agrawal submits that on 16.05.2023 (Annexure P/9) a notice was issued to the petitioner asking him to file the renewed disability certificate and that notice was subjected to challenge before this Court by the petitioner in WPS No.3472 of 2023 where this Court stayed the impugned show-cause notice dated 16.05.2023. The said writ petition is still pending for consideration before this Court. However, in spite of the interim order, the impugned show-cause notices dated 13.12.2023 & 03.10.2023 have been issued again asking the petitioner to

appear for assessment of his special ablement before the State Medical Board vide Annexures P/1 & P/2 respectively. He further submits that, in these circumstances the impugned notices may be stayed.

Learned counsel appearing for the State opposes the submission made by learned counsel appearing for the petitioner and submits that no prejudice would be caused to the petitioner if he appears for reassessment of special ablement.

Having heard learned counsel for both the parties and also considered their submissions and after perusal of the documents available on record and considering the fact that the impugned notices were issued against the petitioner, the effect and operation of the impugned notices Annexure P/1 and Annexure P/2 shall remain stayed till the next date of hearing.

Let this case be listed along with WPS No.3472 of 2023 in the month of July, 2024.

Meanwhile, State may file reply if so desire.

In view of the above, I.A. No.02/2024, an application for urgent hearing and I.A. No.03/2024, an application for hearing during summer vacation stand disposed of.

Sd/-
(Sachin Singh Rajput)
Judge