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IN THE HIGH COURT OF JUDICATURE AT BILASPUR (C.G.)

WRIT PETITION NO. 2251 OF 2001

BETWEEN

Kumari Sulochana, aged 25 years, D/o N.D. Patel, resident
of Village Pithora, Tahsil Mahasamund, District Mahasamund.

PETITIONER

A N D

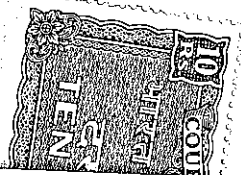
1. Chief Municipal Officer,
Nagar Panchayat, Pithora,
District and Tahsil Mahasamund.
2. Dinesh Singh Patel, aged 26 years,
S/o Y.F. Patel, R/o Village Pithora,
Tahsil and District Mahasamund.
3. Nagar Panchayat, Pithora,
Tahsil and District Mahasamund.

P. R. No. 2244/01
Presented by Shri. C.R. Sahu
19.12.01

RESPONDENTS

WRIT PETITION UNDER ARTICLES 226/227 OF THE CONSTITUTION OF
INDIA FOR ISSUANCE OF WRIT IN THE NATURE OF CERTIORARI OR ANY
OTHER APPROPRIATE FORM WHICH THIS HON'BLE COURT DEEMS FIT

The petitioner named above humbly submits as under:-



(21)

आदेश पत्रक

W.P.No. 2251/99
समला क्रमांक 2001

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	<p><u>27.11.2001</u></p> <p>Heard Shri L.C.Das, learned counsel for the petitioner.</p> <p>The writ petitioner was given appointment on 07.04.1999 as Shiksha Karmi Grade I in the subject of Chemistry at Govt. Girls Higher Secondary School, Pithora. Subsequently, on 25.10.1999, another order was issued by the Collector. The operative part of the said order states that the petitioner shall be allowed to continue until the new selection is made and the process of selection should be completed within 15 days. Unfortunately, no fresh selection has been made till date. However, while the petitioner was still serving as Shiksha Karmi Grade I in the subject of Chemistry at the aforesaid school, the impugned order dated 08.10.2001 was issued by which the service of the writ petitioner was terminated. It may be stated that the said impugned order of termination was issued consequent to the order passed by the Collector on 25.10.1999. On careful perusal of the relevant documents placed on record, it is clear that the Collector's order simply stated that fresh selection should be made within 15 days and that until the next selection the petitioner should be allowed to continue. If it is correct that no fresh selection has been made till date, no order of termination could have been issued and that too</p>	

[सिग्नेचर]

आदेश पत्रक (पुर्नानुबद्ध)



आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
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consequent to the direction of the Collector, prima facie, inter-
reference of the order of termination is called for.

In the result, this petition is disposed of. The impugned
order of termination issued on 08.10.2001 by the Nagar
Panchayat, Pithora is set aside. The petitioner shall be allowed
to continue as Shiksha Karmi Grade I in the subject of
Chemistry at the aforesaid school.

Sd/-
Chief Justice