

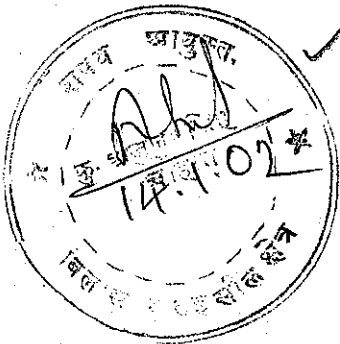
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IN THE HIGH COURT OF JUDICATURE AT BILASPUR
CHHATTISGARH

W.P.NO. 239/2002

PETITIONERS
(Respondents)

- : 1. The State of Chhattisgarh
Through the Secretary,
Home Department,
Mantralaya, D.K.S.Bhawan,
RAIPUR [Chhattisgarh]
2. Deputy Inspector General of Police
(Railway), Govt. of Chhattisgarh,
RAIPUR [Chhattisgarh]
3. Superintendent of Police (Railway)
Raipur, Tehsil & District Raipur
[Chhattisgarh]



VERSUS

RESPONDENT
(Applicant)

- : 1. Ramlal Srivastava, aged about 35
Years, S/o Late Panna Lal
Srivastava, Resident of Moudahapara,
Raipur, Tehsil & District Raipur
[Chhattisgarh]
2. Registrar, M. P. Administrative
Tribunal, Raipur Bench, Raipur [C.G.]

238/02
Ch. B. Bhadani
28/1/02
Formal Party

WRIT PETITION UNDER ARTICLE 226 /227 OF THE
CONSTITUTION OF INDIA:

आदेश पत्रक

मामला क्रमांक WP 239/2002 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	<p><u>30-04-2002</u></p> <p><u>DIVISION BENCH COMPRISING OF HON'BLE SHRI JUSTICE K.H.N. KURANGA, CJ & HON'BLE SHRI JUSTICE FAKHRUDDIN, J.</u></p> <p>Dr. N.K. Shukla, Additional Advocate General, for the State / Petitioner.</p> <p>Heard.</p> <p>By this petition under Article 227 of the Constitution of India the petitioners have prayed for quashing the order dated 29-4-2000 passed by the M.P. State Administrative Tribunal, Raipur Bench, Raipur.</p> <p>Briefly stated the facts of the case are that respondent No.1 was appointed on the post of M.P. Police Service, Class IV on the basis of compassionate ground since his father died. The work of the respondent No.1 was quite satisfactory for one year but his services have been terminated vide order dated 1/2/1996. No show cause notice was issued to him before passing the order of termination. He filed various representations. Ultimately, the order was passed by the department and the representation of the respondent No.1 was rejected.</p>	

[पीछे देखिये]

आदेश पत्रक

W.P. 239/2002

मामला क्रमांक सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित (2)	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	<p>The contention of the State is that the respondent No.1 was appointed on compassionate ground temporarily whose services have been terminated after one month's notice. The respondent was also paid salary of one month. Further contention of the State is that the respondent No.1 was appointed in the year 1975 on the post of Bal Aarakshak (Boy orderly) by the Superintendent of Police (Railway) on 8-5-1975. When he was appointed on the above said post his father who was a constable was in service. On 7-7-1976 father of the respondent No.1 retired and died on 11-1-1980. At the time of his appointment father of respondent No.1 was alive. He was relieved from the services after completing eighteen years of age vide order dated 9-4-1980. The respondent No.1 was given opportunity to pass his matriculation examination. Afterwards, he was selected as home guard.</p> <p>The respondent No.1 preferred an application before the M.P. State Administrative Tribunal and the Tribunal after considering the matter has passed the impugned order directing that the respondent No.1 be taken back in his service within one month of receipt of this order.</p>	

[पीछे देखिये]

आदेश पत्रक

W.P. 239/2002
मामला क्रमांक सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित (3)	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	<p>Having thus considered the facts and circumstances of the case and in view of the judgment of the Apex Court in the case of Balbir Kaur Vs. Steel Authority of India reported in (2000) 6 SCC 493, we are of the opinion that no case for interference of this Court in exercise of its supervisory jurisdiction under Article 227 of the Constitution of India is made out.</p> <p>Learned Additional Advocate General submitted that fifteen days time may be granted to comply with the order passed by the Tribunal.</p> <p>Time as prayed for is granted to the State to comply with the order of the Tribunal, which shall be reported to the Tribunal.</p> <p>Subject to what has been stated above, this petition is dismissed. C.C.</p>	
	Sd/- Chief Justice	Sd/- Fakhruddin Judge

[पीछे देखिये]

Bm