

①
③
CF 100

IN THE HIGH COURT OF JUDICATURE AT BILASPUR
CHHATTISGARH

WRIT PETITION NO. 3845/2003

PETITIONER

Ram Kumar Yadav
S/o. Shri T.R. Yadav,
Aged about 27 years,
Resident of Bharni,
Via Ganiyari,
District - Bilaspur,
Chhattisgarh

P. R. No. 3639/03
Presented by Shri Shakti Singh
dated 20/11/03

VERSUS

RESPONDENTS

- : 1. State of Chhattisgarh
Through its Secretary,
Department of Manpower &
Planning, DKS Bhawan Mantralaya,
District Raipur, Chhattisgarh.
- : 2. Director,
Directorate of Technical Education,
Women Polytechnic Campus,
Bairan Bazar,
District - Raipur,
Chhattisgarh.
- : 3. Principal,
Government Women Polytechnic
College, Rajnandgaon,
District Rajnandgaon,
Chhattisgarh.



WRIT PETITION UNDER ARTICLE 226 AND 227 OF THE CONSTITUTION
OF INDIA

1. PARTICULARS OF THE PETITIONER

As mentioned in the cause title above.

2. PARTICULARS OF THE RESPONDENTS

As mentioned in the cause title above.

RECEIVED - COPY
20/11/03
Clerk to A. G. Bilaspur

आदेश पत्रक

मामला क्रमांक W.P. 3845/सन् 2003

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	<p><u>19.12.2003</u></p> <p>Smt. Meena Gupta, counsel for the petitioner.</p> <p>Shri Ranbir Singh Marhas, Govt. Advocate for the State/respondents.</p> <p>Heard both the counsel.</p> <p>By this writ petition under Article 226/227 of the Constitution of India, the petitioner has challenged the order dated 11.09.2003 passed by the Principal, Govt. Women Polytechnic College, Rajnandgaon, by which the petitioner has been asked to make alternative arrangement as on account of the recruitment of SC/ST persons he has to vacate the post.</p> <p>The petitioner's case is that the petitioner was appointed as Assistant Grade-III and performing the work of Stenographer from 10th October, 1998, in the Govt. Women Polytechnic College, Rajnandgaon, Chhattisgarh and he was getting wages as per the daily wager fixed from time to time. The petitioner was also teaching the students enrolled and got admitted in the Women Polytechnic College, Rajnandgaon, for Hindi and English Stenography and typing. The petitioner possesses the professional Diploma in Hindi & English Stenography from the Government Polytechnic College, Durg and also having education qualification up to Master of Commerce (Previous). The petitioner was also getting the remuneration of Rs.20/- per period for imparting training to the students whenever special coaching was conducted for English/Hindi Stenography and he discharges his duties with utmost sincerity and loyalty and there was nothing adverse against him and all of a sudden without giving any opportunity of hearing, the petitioner has been served with a notice of</p>	

आदेश पत्रक

मामला क्रमांक

W.P. 3845/ सन् 2003

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	- 2 -	
	<p>termination (Annexure P-1) which is illegal, arbitrary, unjust and against the principles of natural justice.</p> <p>Learned Govt. Advocate appearing on behalf of the State/respondents submits that the petitioner is a daily wager employee, therefore he can be removed at any time.</p> <p>Learned counsel for the petitioner submits that the petitioner is serving regularly and he is being removed without any reason. She further submits that the petitioner may be allowed to make a representation to respondents raising all his grievance and respondents be directed to decide his representation after considering the material facts.</p> <p>Having heard the learned counsel for the parties and having regard to the facts and circumstances of the case, the petitioner is allowed to make a detailed representation raising all his grievances within ten days from today to respondent No.2 and in turn, respondent No.2 shall decide the representation within a period of thirty days from the date of receipt of the same in an objective manner with a reasoned order.</p> <p>With the above observations and directions the petition stands disposed of.</p> <p>In view of this order, M.(W.)P.No.3575/2003 and I.A. No.11390/2003 also stand disposed of.</p> <p>Parties are entitled for certified copy of this order.</p>	
Soma		<p>Sd/- L.C.BHADOO Judge</p>

[पीछे देखिये]

21/12/03
22.12.03