

* (9) CH00

IN THE HIGH COURT OF JUDICIATURE AT BILASPUR
WP. No. 2893/2003

PETITIONER:

Manharan Lal Sahu, Aged about 53 years,
S/o Shri Meghnath Sahu, Line Supervisor Grade-II, Resident
of New Sarkanda, Bangali Para, Gali No.3, Bilaspur.

Versus

RESPONDENTS

P. R. No. 2508/03
Presented by Shri K.M. Ahsan
dated 25.08.03

1. Chhattisgarh State Electricity Board (C.S.E.B.) through
Chairman, Raipur
2. R.P. Sharma Divisional Engineer, C.S.E.B. Bilaspur City
Division, Bilaspur.
3. State of Chhattisgarh through Home Secretary, Government of
Chhattisgarh, Raipur.
4. City Superintendent of police, Bilaspur.

PETITION UNDER ARTICALS 226/227 OF THE CONSTITUTIO OF INDIA

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

माथला क्रमांक W.P. 2893/03 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	<p>31.01.2005: -</p> <p>Shri K.A.Ansari, learned counsel for the petitioner. Shri Akhil Agrawal, learned P.L. for the State/respondent.</p> <p>Heard.</p> <p>The petitioner by the instant petition has challenged his order of suspension of Annexure P/1.</p> <p>Learned counsel for the petitioner submits that during pendency of the petition departmental inquiry against the petitioner has been concluded and the respondents have imposed a minor penalty of stoppage of two increments against which the petitioner had preferred a departmental appeal before the appellate authority which was pending and in the light of subsequent developments, the petition has become infructuous. Therefore, learned counsel for the petitioner seeks permission to withdraw the petition.</p> <p>However, learned counsel submits that there are certain dues payable to the petitioner for which he is legally entitled to receive but that has not been paid by the respondents during the pendency of the petition despite order of this Court. He further submits that the petitioner be given a liberty to move a suitable application for all the ^{dues} deals for which he is lawful entitled, before the respondents and after considering the said application, the respondents should be directed to decide the same as per rules.</p> <p>Learned counsel for the respondents submits that the petition has become infructuous in the light of ^{fact} that the departmental inquiry has been concluded and the petitioner has already been ordered to be reinstated</p>	

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	<p>vide order dated 13.07.2004 and he has been posted at Kargi Road, Kota, and the petitioner has not joined his services at Kota.</p> <p>Be that as it may be, since the departmental inquiry is concluded the instant petition has become infructuous and in the light of the same, the petition deserves to be dismissed as withdrawn and it is accordingly dismissed. However, the petitioner is granted liberty to move a detailed application which should be complete in all respect in order to enable the respondents to decide the same, for all the outstanding dues for which he is entitled lawfully to receive from the respondents which shall be decided by them as early as possible preferably within a period of six weeks after the date of receipt of such application.</p> <p>With these observations, the petition stands disposed of.</p> <p>C.C. as per rules.</p>	<p>Sd/- Dhirendra Mishra Judge</p>