



2025:CGHC:28900

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 5147 of 2018

Shri Ravindra Kumar Yadav S/o Shanti Kumar Yadav Aged About 42 Years R/o Village Taga, Tahsil Akaltara, District Janjgir- Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

... Petitioner

versus

- 1** - The Collector, District Panchayat, Janjgir District Janjgir Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh.
- 2** - Chief Executive Officer District Panchayat Janjgir District Janjgir Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh.
- 3** - Chief Executive Officer Janpad Panchayat Akaltara District Janjgir Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh.

... Respondent(s)

(Cause Title is taken from Case Information System)

For Petitioner	: Mr. Badruddin Khan, Advocate
For State	: Mr. Pramod Shrivastava, Deputy Government Advocate
For Respondent Nos. 2 & 3	: Mr. Vimlesh Bajpai, Advocate

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

30.06.2025

1) The petitioner has filed this petition seeking the following relief(s):-

"10.1. That the Hon'ble Court may kindly be pleased to call for the entire records pertaining to the case of petitioners.

10.2. That, the Hon'ble Court may kindly further be pleased

to set aside the order dated 21/10/2016 and also to reinstate as *Rojgar Sahayak* of Gram Panchayat Taga in the interest of justice.

10.3. Cost of the petition may also be granted.”

2) Mr. Khan, learned counsel for the petitioner submits that the petitioner was appointed as a *Rojgar Sahayak* in the year 2007 at Gram Panchayat Taga, Tehsil & Janpad Panchayat Akaltara, District Janjgir-Champa. The services of the petitioner were terminated by the Chief Executive Officer (for short, CEO), District Panchayat Janjgir-Champa, vide order dated 21.10.2016, on the basis of a frivolous complaint and he was not afforded the opportunity of hearing. He further submits that a representation was made before the CEO, Janpad Panchayat Akaltara, pursuant to which, on 07.10.2017, the said authority recommended the petitioner's reinstatement. However, the same authority subsequently withdrew the recommendation without assigning any reason vide letter dated 06.03.2018, holding that the petitioner was not found fit for reinstatement on the post of *Rojgar Sahayak*. It is also submitted that the impugned termination order was passed without issuing any show cause notice or charge sheet, which is in contravention of the principles of natural justice. He prays to quash the termination order dated 21.10.2016.

3) On the other hand, learned Advocates for the respondents would oppose the submissions made by counsel for the petitioner and submit that serious allegations were leveled against the petitioner, and pursuant to those

complaints, the CEO issued the order of termination. It is further submitted that adequate opportunity was provided to the petitioner. It is also submitted that though the CEO initially recommended the reinstatement of the petitioner but later on, the recommendation was withdrawn, and a decision was taken to affirm the termination. It is contended that the petition deserves to be dismissed.

- 4) I have heard learned counsel for the parties and perused the record.
- 5) From a perusal of the documents, including the return filed by respondents No. 2 & 3, it is evident that no opportunity of hearing was afforded to the petitioner. No show cause notice or charge sheet was issued prior to the issuance of the termination order dated 21.10.2016. The petitioner's name was recommended for reinstatement by the CEO, Janpad Panchayat Akaltara, on 07.10.2017, but the said recommendation was withdrawn vide letter dated 06.03.2018 without assigning any reasons.
- 6) In view of the fact that no inquiry was conducted, no opportunity of hearing was afforded to the petitioner, and the CEO, Janpad Panchayat Akaltara withdrew the recommendation of the petitioner's reinstatement without assigning sufficient reason, the termination order dated 21.10.2016 is unsustainable in the eyes of law and is accordingly **quashed**.
- 7) The respondent authorities are directed to reinstate the petitioner forthwith. However, the respondents shall be at liberty to initiate a fresh inquiry in accordance with the law, if so advised.

8) Accordingly, this writ petition is hereby **allowed**.

Sd/-
(Rakesh Mohan Pandey)
Judge

Nadim