

Mahesh Kumar Vs. State and ors

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Court : Rajasthan Jodhpur

Decided On : Aug-29-2014

Appellant : Mahesh Kumar

Respondent : State and ors

Advocate for Pet/Ap. : Dr. Nupur Bhati

Judgement :

S.B.CIVIL WRIT PETITION No.6082/2014.

Mahesh Kumar versus State of Rajasthan & ORS.Order dated 29/08/2014 1/3 IN
THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR.

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ORDER

:: S.B.CIVIL WRIT PETITION No.6082/2014.

Mahesh Kumar versus State of Rajasthan & ORS.Date of Order :::: 29th August,
2014.

PRESENT HON'BLE Dr.

JUSTICE VINEET KOTHARI Appearance: Mr.Mahesh Kumar, petitioner present-
in-person.

-- BY THE COURT: 1.

The lawyers are observing strike which is contrary to various Supreme Court decisions.

Name of Dr.

Nupur Bhati, counsel for the petitioner, is shown in the cause list.

2.

Heard the petitioner, who is present in person.

3.

The petitioner is working on the post of MIS Manager under the M-NREGA scheme on contractual basis.

The petitioner was appointed on the said position on 18.12.2009 vide the order (Annex.1) dated 18.12.2009.

His contractual employment has been discharged by the impugned order S.B.CIVIL WRIT PETITION No.6082/2014.

Mahesh Kumar versus State of Rajasthan & ORS.Order dated 29/08/2014 2/3 (Annex.11) dated 26.08.2014 in pursuance of some enquiry report, in which the petitioner was found indulged in commission of certain financial irregularities.

The petitioner after filing representation on 27.08.2014 (Annex.12) before the Chief Executive Officer-cum-Coordinator of Zila Parishad, Nagaur, has filed the present writ petition in this Court on 28.08.2014 seeking following relief(s).- It is, therefore, humbly and respectfully prayed that this writ petition of the petitioner may kindly be allowed: - A.

By an appropriate writ order or direction, the termination order dated 26.8.2014 (Annex.11) may kindly be quashed and set aside.B.By an appropriate writ, order or direction, the respondents may kindly be directed to reinstate the petitioner on the post of MIS Manager with all consequential benefits.C.Any other appropriate

writ, order or direction which this Hon'ble Court may deem just and proper in the facts and circumstances of the case may kindly be passed in favour of the petitioner. D. Writ petition filed by the petitioner may kindly be allowed with costs.

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4.

The petitioner has already filed a representation to the respondent, Chief Executive Officer-cum-Coordinator, Zila S.B.CIVIL WRIT PETITION No.6082/2014.

Mahesh Kumar versus State of Rajasthan & ORS. Order dated 29/08/2014 3/3 Parishad, Nagaur, which has not been so far decided.

The said authority is expected to supply the copy of the enquiry report about the allegations against him to the petitioner and thereafter, after giving him opportunity of hearing, the C.E.O., Zila Parishad, Nagaur, is expected in law to decide the representation dated 26.08.2014 by a speaking order.

The petitioner in the fiRs.instance may appear before the C.E.O., Zila Parishad, Nagaur, on 08.09.2014 and thereafter decide the representation of the petitioner within fifteen days from that date.

No costs.

A copy of this order be sent to the concerned parties forthwith.

(Dr.

VINEET KOTHARI).J.

DJ/- S-10

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