



2026:CGHC:26023

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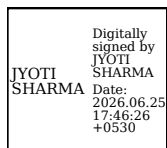
HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 4767 of 2026

Ganga Prasad Sharanagat S/o- Shri Mohan Lal Shranagat Aged About 43 Years Occupation- Govt, Service, Working As In-Charge Senior Agriculture Development Officer, Posted At Bagbahara, District- Mahasamund (C.G.)

... **Petitioner(s)**

versus



1. State Of Chhattisgarh Through- Secretary, Department Of Agriculture And Farmers Welfare, Mantralaya, Mahanadi Bhawan, Nava Raipur, Atal Nagar, District Raipur, (C.G.)

2. The Director Of Agriculture And Farmers Welfare Department, Block-2, Second Floor, Indrawati Bhawan, Naya Raipur, Atal Nagar, (C.G.) 49200 Chhattisgarh.

3. The District Collector, Mahasamund, District- Mahasamund (C.G.)

4. Deputy Director, Office Of Deputy Director, Agriculture, Near Baronda Chowk, District- Mahasamund (C.G.)

5. Mr. Faguram Kashyap, Deputy Director, Agriculture, Near Baronda Chowk , District- Mahasamund (C.G.)

... **Respondent(s)**

(Cause title is taken from Case Information System)

For Petitioner : Mr. Neeraj Choubey, Advocate

For Respondents/State : Mr. Hariom Rai, P.L.

(HON'BLE SHRI JUSTICE BIBHU DATTA GURU)

Order on Board

25/06/2026

1. By the present writ petition, the petitioner seeks quashment of the

impugned order dated 20.05.2026 (Annexure P-1) passed by the respondent No.3, whereby the petitioner, who is working as Senior Agriculture Development Officer, has been placed under suspension from service.

2. Learned counsel for the petitioner submits that the impugned suspension order dated 20.05.2026 has been passed by respondent No.3, who is neither the appointing authority nor the disciplinary authority competent to exercise such power in respect of the petitioner. He submits that under Rule 9(1) of the Chhattisgarh Civil Services (Classification, Control and Appeal) Rules, 1966 (for short, "the Rules, 1966"), a Government servant can be placed under suspension only by the appointing authority, the disciplinary authority, or any authority specifically empowered by the Governor in that behalf. He contends that the petitioner is a non-ministerial employee and, therefore, the Collector is not competent to place him under suspension. It is further submitted that the impugned order has been passed arbitrarily, without affording any opportunity of hearing to the petitioner and in violation of the principles of natural justice. Hence, the impugned order is wholly without jurisdiction and deserves to be set aside.
3. *Per contra*, learned counsel appearing for the respondents/State submits that the petitioner is a Class-III employee and, by referring to the Circular dated 23.05.1996 issued by the General Administration Department, Government of Madhya Pradesh, contends that the Collector has been specifically empowered to place Class-III and Class-IV employees under suspension in

accordance with the provisions of the Rules, 1966. He submits that the impugned order has been passed by the competent authority in exercise of the powers vested in it under the said circular. It is further submitted that an efficacious alternative remedy of appeal is available to the petitioner before the Divisional Commissioner and, therefore, the present writ petition is not maintainable and deserves to be dismissed.

4. I have heard learned counsel for the parties and perused the documents appended with the writ petition as well as the Circular dated 23.05.1996.
5. Having considered the submissions advanced by learned counsel for the parties, this Court finds that the principal grievance raised by the petitioner pertains to the competency of the authority issuing the suspension order dated 20.05.2026. The respondents have specifically relied upon the Circular dated 23.05.1996 issued by the General Administration Department, whereby the Collector has been empowered to exercise powers of suspension in respect of Class-III and Class-IV employees under the Rules of 1966. It is not in dispute that against the order of suspension, an efficacious alternative remedy of appeal is available to the petitioner before the competent authority under the provisions of the Rules of 1966.
6. It is well settled that when an efficacious alternative statutory remedy is available to an aggrieved employee before a competent forum, this Court would ordinarily refrain from exercising its extraordinary writ jurisdiction under Article 226 of the Constitution of India, unless exceptional circumstances are made out.

7. Accordingly, the writ petition is dismissed at the motion stage itself as not maintainable. However, liberty is reserved in favour of the petitioner to avail the appropriate remedy before the competent forum, in accordance with law, if so advised.

Sd/-
(BIBHU DATTA GURU)
JUDGE

Jyoti