



CGHC010276082026



2026:CGHC:31236

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 5465 of 2026

Avinash Dewangan S/o Jhagger Singh Dewangan Aged About 42 Years Presently Posted As Chief Municipal Officer At Nagar Panchayat Gandai, District- Khairagarh- Chhuikhadan- Gandai, Chhattisgarh R/o Sundar Nagar Raipur, District- Raipur, Chhattisgarh.

Petitioner(s)



versus

1 - The State Of Chhattisgarh Through Its Secretary, Department Of Urban Administration And Development, Mantralay, Mahanadi Bhawan, Nava Raipur, Atal Nagar, District- Raipur, Chhattisgarh.

2 - The Director, Directorate Of Urban Administration And Development Mantralay, Nava Raipur, Atal Nagar, District Raipur, Chhattisgarh.

3 - The Joint Director, Regional Office Of Urban Administration And Development Durg, District Durg, Chhattisgarh.

4 - The Nagar Palika Parishad Khairagarh Through Its Chief Municipal Officer, Khairagarh, District- Khairagarh-Chhuikhadan-Gandai, Chhattisgarh.

5 - The Nagar Panchayat Gandai Through Its Chief Municipal Officer, Gandai, District- Khairagarh-Chhuikhadan-Gandai, Chhattisgarh.

Respondent(s)

(Cause-title taken from Case Information System)

For Petitioner(s) : Mr. Sandeep Dubey and Mr. Manas Vajpai, Advocates

For Respondent(s) : Mr. Aditya Tiwari, PL

(HON'BLE SHRI JUSTICE BIBHU DATTA GURU)**Order on Board****21/07/2026**

1. Learned counsel for the petitioner submits that the petitioner has been placed under suspension by exercising powers under Rule 33 of the Chhattisgarh Urban Municipal (Executive/Engineering/Health) Services, Recruitment and Conditions of Service Rules, 2017. He submits that a perusal of the impugned order of suspension would show that no disciplinary proceeding was pending against the petitioner on the date of suspension and no charge-sheet had been issued to him. It is contended that the exercise of power under Rule 33, in the absence of any pending disciplinary proceeding, is contrary to the Rule itself.
2. On the previous date of hearing, learned counsel for the respondent was directed to obtain instructions in this regard. Today, on instructions, learned counsel for the respondent fairly submits that no disciplinary proceeding has been initiated against the petitioner and no charge-sheet has been issued against him.
3. Having heard learned counsel for the parties and on perusal of the impugned order of suspension, this Court finds that the petitioner has been placed under suspension by invoking Rule 33 of the Chhattisgarh Urban Municipal (Executive/Engineering/Health) Services, Recruitment and Conditions of Service Rules, 2017, despite the admitted position that neither any disciplinary proceeding was pending nor had any charge-sheet been issued against him. Thus, the very basis for invoking the power of suspension under Rule 33 is absent.

4. Accordingly, the writ petition is **allowed**. The impugned order of suspension is hereby set aside. It is, however, made clear that this order shall not preclude the respondents from proceeding against the petitioner in accordance with law, if otherwise permissible.

Sd/-
(BIBHU DATTA GURU)
JUDGE

Rahul