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IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No 225 / 2015

PETITIONER:

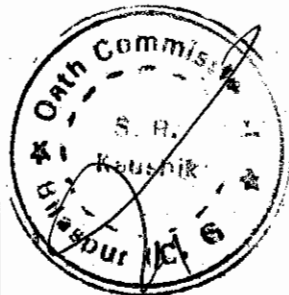
Dwarika Prasad Sharma, aged about 57 years, S/o Late Shri Gaya Prasad Sharma, Head Constable (Tele Communication) Zone, Bilaspur (C.G.) R/o A/54, Tifra Police Line, Bilaspur, District - Bilaspur (C.G.).

15/7/15
K.K. 5/2
22/4/15
Presented by Mr. K.K. 5/2

RESPONDENT:

Versus

1. State of Chhattisgarh, through Principal Secretary, Home Department, Mantralaya, D.K.S. Bhavan, Raipur (C.G.)
2. The Superintendent of Police (Telecommunication), Bilaspur Zone, Bilaspur (C.G.)
3. The Assistant Inspector General of Police (Telecommunication), Police Telecommunication, Raipur (C.G.)
4. The Additional Inspector General of Police (Telecommunication), Police Head Quarter, Chhattisgarh, Civil Lines, Raipur - 492001



WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA



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HIGH COURT OF CHHATTISGARH AT BILASPUR

SB: Hon'ble Shri Justice Pritinker Diwaker

Writ Petition (S) No. 225 of 2015

PETITIONER

Dwarika Prasad Sharma

VERSUS

RESPONDENTS

State of Chhattisgarh and
Others

Shri K.K. Singh, counsel for the petitioner.

Shri V.A. Govardhan, P.L. for the State, on advance copy.

**WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF
INDIA**

**ORDER
(27.01.2015)**

With the consent of learned counsel for the parties, the matter is heard finally.

Vide order dated 25.11.2013, passed by the Assistant Inspector General of Police (Telecommunication), a punishment of withholding one increment with cumulative effect was imposed upon the petitioner. In an appeal preferred by him, this order was affirmed by the Additional Director General of Police (Telecommunication) vide order dated 17.06.2014. Against this order, the petitioner has preferred an appeal (Annexure-P/8) on 22.07.2014 before the State Government.

Counsel for the petitioner submits that purpose of filing this writ petition would be served if a direction is issued to the State Government to decide the pending appeal of the petitioner.

Counsel for the State submits that the appeal (Annexure-P/8) preferred by the petitioner is not a statutory appeal and therefore, it is the discretion of the State Government to decide the appeal or not.

Be that as it may, if the petitioner has already preferred an appeal before the State Government, it is expected from the State Government to decide the same strictly in accordance with law, if not already decided as expeditiously as possible, preferably within three months from the date of receipt of a copy of this order.



It is made clear that this Court has not made any observation on the merits of the case and the State Government would be at liberty to pass the order strictly in accordance with law.

The writ petition is accordingly disposed of.

Sd/-
Pritinker Diwakar
Judge

subbu