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HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 1189 of 2015**

- Dashrath Singh Tomar S/O Shri Fulsingh Tomar Aged About 51 years Rural Horticulture Development Office C/O Assistant Director, Horticulture, P.S. Mungeli, Tahsil & District Mungeli Chhattisgarh

---- Petitioner**Versus**

1. The State of Chhattisgarh Through The Secretary, Department Of Agriculture, Mahandi Bhawan, Mantralyaa, Naya Raipur, P.S. Rakhi, Tahsil & District Raipur Chhattisgarh
2. The Assistant Director Horticulture, Mungeli, P.S. Mungeli District Mungeli Chhattisgarh
3. The Assistant Director Horticulture, P.S. Kawardha, District Kabirdham Chhattisgarh

---- Respondents

For Petitioner	:	Shri SC Verma, Advocate
For Respondent/State	:	Shri PK Bhaduri, GA for the State

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****08/04/2015**

Heard learned counsel for the parties.

1. This petition has been preferred seeking following reliefs:-

10.1 That, this Hon'ble Court may be kind enough in issuing a writ in the nature of mandamus, certiorari or likewise any other appropriate writ, commanding and directing the respondents to submit all the records of the petitioner related with the case.

10.2 That, this Hon'ble Court may be kind enough in issuing a writ in the nature of mandamus, certiorari or likewise any other appropriate writ, commanding and directing the respondents to reinstate the petitioner from

the services and the order Annexure P/1 may kindly be quashed as it is passed on the basis of registration of the false case against the petitioner vide Annexure P/2.

10.3 That, this Hon'ble Court may be kind enough in issuing a writ in the nature of mandamus, certiorari or likewise any other appropriate writ, commanding and directing the respondents to initiate the appropriate enquiry in the issue as are evidence from the Annexure P/2 and P/4.

10.4 That, this Hon'ble High Court may be kind enough in awarding the cost of the petition to the petitioner.

10.5 Any other relief, which the Hon'ble Court deems fit and proper looking to the facts and circumstances of the case, may also be granted.

2. The impugned order of suspension has been issued in exercise of powers under Rule 9 (2) (क) of the Chhattisgarh Civil Services (Classification, Control & Appeal) Rules, 1966 (for short 'the Rules, 1966'). The said order is appealable under Rule 23 thereof. Thus, the petitioner has got an alternative remedy under the Rules, 1966, therefore, the writ petition is not maintainable. The petitioner may avail the alternative remedy within one month from today.
3. Other reliefs are concerning registration of criminal case against the petitioner, for which this Bench has no jurisdiction in view of the current roster, as the said relief can be claimed in a writ petition WP (Cr) not in WP (S), therefore, the petitioner would be at liberty to prefer fresh duly constituted & separate WP (Cr) for the reliefs claimed in paras 10.2 & 10.3.
4. The writ petition stands disposed of in the above terms.

JUDGE

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