

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 4096 of 2014

1. Dr. Pramod Singh S/O Late Krishna Pal Singh Aged About 61 years Working As Joint Director (Under Suspension) Health & Family Welfare Department Raipur Resident Of D-4, Shanti Nagar Shanker Nagar Raipur C.G.

---- Petitioner

Versus

1. State Of Chhattisgarh, Through its Principal Secretary, Department Of Health & Family Welfare, Mahanadi Bhawan, Mantralaya, Naya Raipur PS Rakhi C.G.
2. Director, Health Services DKS Bhawan P.S. Civil Line Raipur C.G.

---- Respondent

For Petitioner	Shri Manish Nigam, Advocate
For Respondent/State	Shri P.K. Bhaduri, Govt. Advocate.

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

24/06/2015

Heard learned counsel for the parties.

1. Petitioner has preferred this writ petition seeking quashment of the report/opinion submitted by the respondent No.2 holding the petitioner guilty of the charges; as also for revoking the petitioner's suspension.
2. Perusal of the papers annexed with the petition would reveal that vide order dated 26-12-2009 the petitioner was kept under suspension for

the reason that the petitioner, who was the In-charge Director of Health Services, Chhattisgarh, proceeded on leave on 10-11-2009, however, despite rejection of his leave application on 1-12-2009 the petitioner did not attend the duties. Thereafter, a show cause notice along with proposed charge sheet was issued to the petitioner on 10-3-2010 and subsequently, the departmental enquiry was constituted on 13-3-2011. The said enquiry has been completed and the enquiry officer has already submitted his report. Now the matter is pending consideration before the disciplinary authority.

3. Considering the fact that the disciplinary authority is yet to take decision in the matter, after submission of the enquiry report, the relief sought for in the writ petition is premature.
4. Accordingly, the writ petition is dismissed as premature insofar as relief clause 10.1 is concerned. However, the disciplinary authority shall take final decision in the matter within a period of three months.
5. As regards order of suspension, the petitioner would be at liberty to represent the matter before the State Government within a period of one month from today.

Sd/-

(Prashant Kumar Mishra)

Judge

Gowri

