

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 3093 of 2015**

Tomeshwar Sahu S/o Vishnu Prasad Sahu Aged About 48 Years, Post Sainik, Saninik No. 222, R/o Lakholi, Ward No. 34, Adarsh Chowk, Rajnandgaon, Tahsil & Distt. Rajnandgaon, Civil & Revenue Distt. Rajnandgaon, (Chhattisgarh)

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Home, Mahanadi Mantralaya, Naya Raipur, Post Office & Police Station Naya Raipur, District Raipur, (Chhattisgarh)
2. Director General, Home Guard, Chhattisgarh, Raipur, (Chhattisgarh)
3. Inspector General, Home Guard, Raipur, (Chhattisgarh)
4. Divisional Commandant, Home Guard, Collectorate Premises, Raipur, (Chhattisgarh)
5. District Commandant, Home Guard, District Office, Rajnandgaon, (Chhattisgarh)

---- Respondentss

For Petitioner : Shri Varunendra Mishra, Advocate.
 For Respondents/State: Shri Dilman Rati Minj, Dy. Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****19/11/2015**

(1) According to the learned counsel for the petitioner, the order impugned dated 08.10.2014 passed by District Commandant, Home Guard, District Office, Rajnandgaon placing the petitioner under suspension is appealable before the authority immediately superior to the authority passing the order under Rule 13(1) of the Madhya Pradesh Home Guards Rules, 1947 and, therefore, he may be permitted to withdraw the instant writ petition with liberty to file appeal

before the competent appellate authority for redressal of his grievances.

(2) Liberty is granted, as prayed for.

(3) Accordingly, the writ petition is dismissed as withdrawn with the liberty as aforesaid. If the petitioner makes a appeal within a period of 30 days from the date of receipt of copy of this order, the same would be decided by the competent appellate authority within a further period of three months from the date of its receipt strictly in accordance with law keeping in view the fact that this writ petition remained pending before this Court from 15.08.2015.

Sd/-
(Sanjay K. Agrawal)
Judge

D/-