

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3726 of 2015

- B. L. Khobragadhe S/o C. L. Khobragadhe, Aged About 57 Years
Sub Divisional Officer (Civil) Sukhanala, Bairaj, Water Resources,
Sub Division Dongargaon, District Rajnandgaon (Chhattisgarh),
R/o Quarter No. E-4, Khandelwal Colony, Kaudinbhata, District
Rajnandgaon (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Water Resources
Department, Mantralaya, Mahanadi Bhawan, New Raipur, District
Raipur (Chhattisgarh)
2. Deputy Secretary, Water Resources Department, Mantralaya,
Mahanadi Bhawan, New Raipur, District Raipur (Chhattisgarh)
3. Engineer - In - Chief, Mahanadi Godawari Kachhar/ Mahanadi
Pariyojna, Water Resources Department, Raipur (Chhattisgarh)
4. Superintendent Engineer, Shivnath Mandal, Durg (Chhattisgarh)
5. Executive Engineer, Water Resources Department, Bairaj Division,
Dongargaon, District Rajnandgaon (Chhattisgarh)

---- Respondent

For Petitioner
For Respondent/State

Mrs. Meena Shastri, Advocate
Mr. Dheeraj Wankhede,
Government Advocate

S.B.: Hon'ble Mr. Justice Prashant Kumar Mishra
Order On Board

14/10/2015

Heard finally with the consent of learned counsel for the parties.

(2) The impugned order of suspension has been passed by the State
Government in exercise of powers under Rule 9 of the C.G. Civil Services

(Classification, Control and Appeal) Rules, 1966.

(3) In view of the law laid down by the Supreme Court in the matter of Union of India and others vs. Major General Shri Kant Sharma and another, (2015) 6 SCC 773, the writ petition is not maintainable, because, the petitioner has statutory alternative remedy of preferring an appeal under Section 23 of the aforesaid Rules, 1966.

(4) For the foregoing, the writ petition is dismissed, as not maintainable, with liberty to the petitioner to avail the alternative remedy.

Sd/-

Judge

(Prashant Kumar Mishra)

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