

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 3811 OF 2015**

Paaras Nath Dubey S/o Late Shri Ram Niranjana Dubey aged about 57 years
Occupation Service (Excise Constable) R/o Advocate Colony Near Post
Office P.O., P.S. & Tehsil Surajpur Revenue & Civil District Surajpur (CG)

---Petitioner**Versus**

1. State of Chhattisgarh through Secretary Department of Excise Mahanadi
Bhawan Naya Raipur Revenue and Civil District Raipur (CG)
2. Excise Commissioner Raipur Revenue and Civil District Raipur (CG)
3. Assistant Commissioner of Excise Revenue and Civil District Raipur (CG)
4. District Excise Officer Koriya Revenue and Civil District Koriya (CG)

---Respondents

For Petitioner	:	Mr. Sarfaraj Khan, Advocate
For State	:	Mr. Y.S. Thakur, Dy. Advocate General

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****26/10/2015**

1. The petitioner was suspended by respondent No.3 vide order dated 17/07/2015 from the post of Excise Constable in exercise of powers conferred under Rule 9(1)(a) of the Chhattisgarh Civil Services (Classification, Control and Appeal) Rules, 1966 (hereinafter called as 'Rules, 1966').
2. The petitioner made a representation on 07/09/2015 claiming that he has not been served with the charge-sheet as such within 45 days from the date of suspension and as such, the order of suspension is liable to be revoked under Rule 9(5) of Rules, 1966 but no decision has been taken on his representation.
3. Be that as it may, the respondent No.4 is directed to take decision

on the representation filed by the petitioner on 07/09/2015 claiming revocation of his suspension based on Rule 9(5) of Rules, 1966 expeditiously. It is made clear that this Court has not expressed any opinion on merit of the case.

4. With the aforesaid direction, the writ petition is finally disposed off. However, the petitioner is at liberty to file fresh representation.

Sd/-
(Sanjay K. Agrawal)
JUDGE

Tiwari