

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**W.P. (S) No. 1152 of 2016**

Dashrath Lal Sonwani, S/o Late Shri S.R. Sonwani, aged about 45 years, Sub Engineer, Janpad Panchayat, Jashpur, R/o R.E.S. Colony, Jashpur, District Jashpur (C.G.)

---- Petitioner**Versus**

1. The State Of Chhattisgarh, Through: The Secretary, Panchyat Department, Mahanadi Bhawan, Mantralaya, Naya Raipur, Tahsil & District Raipur (C.G.)
2. The Director, Panchayat, Office of Vikas Ayukta Bhawan, Civil Lines, Raipur (C.G.)
3. The Chief Engineer, Rural Engineering Service, Office of Development Commissioner, Rural Engineering Service, Raipur (C.G.)

---- Respondents

For Petitioner: Mr. S.C. Verma, Advocate.

For Respondents/State: Mr. O.P. Sahu, Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****25/04/2016**

Heard.

(1) Learned counsel appearing for the petitioner would submit that the petitioner is suffering suspension since 30.11.2012 and his application for revocation of suspension is pending consideration before competent authority and, therefore, the same may be directed to be decided within the specific time frame.

(2) Prayer appears to be fair and reasonable.

(3) Be that as it may, the competent authority is directed to consider and dispose of the petitioner's application for revocation

of suspension expeditiously preferably within a period of 45 days in light of circulars issued by the State Government and the decision rendered by the Supreme Court in the matter of **Ajay Kumar Choudhary Vs. Union of India through its Secretary and another**¹ in which their Lordships of the Supreme Court has held as under:-

“21. We, therefore, direct that the currency of a suspension order should not extend beyond three months if within this period the memorandum of charges/charge-sheet is served, a reasoned order must be passed for the extension of the suspension. As in the case in hand, the Government is free to transfer the person concerned to any department in any of its offices within or outside the State so as to sever any local or personal contact that he may have and which he may misuse for obstructing the investigation against him. The Government may also prohibit him from contracting any person, or handling records and documents till the stage of his having to prepare his defence.”

(4) With the aforesaid observations, the writ petition stands finally disposed of.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-

1 (2015) 7 SCC 291