

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 2864 of 2016

1. Pravesh Kumar Sharma S/o Late Shri Nandishore Sharma, Aged About 46 Years R/o Kewdabadi, Bus Stand, Chamru Gali, Raigarh, Tahsil & District Raigarh, (Chhattisgarh)
2. Mahesh Kumar Tati, S/o Late Shri Madhusudan Tati, Aged About 45 Years R/o Behind Gandhi Ganj, Jhaju Gali, Near Kali Mandir, Raigarh, Tahsil & District Raigarh, (Chhattisgarh)
3. Umakant Dubey, S/o Late Shri Mohan Lal Dubey, Aged About 39 Years R/o Brahman Para, Baikunthpur, Raigarh, Tahsil & District Raigarh, (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Urban Administration And Development Department, Mahanadi Bhawan, Mantralaya, New Raipur, (Chhattisgarh)
2. The Commissioner, Municipal Corporation, Raigarh, District Raigarh, (Chhattisgarh)

---- Respondents

For Petitioners : Mr. Kamlesh Kumar Pandey, Advocate
For State : Mr. R.K. Gupta, Dy. Advocate General
For Corporation : Mr. Sudeep Agrawal, Advocate

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

28/07/2016

Heard.

1. Learned counsel for respondent No.2–Corporation upon instruction submits that the reason for temporary withholding of salary is because on certain complaints preliminary enquiry is being held against the petitioners under the orders of the Collector, Raigarh. However, till date, no charge-sheet has been issued. Respondent No.2, at this stage, cannot definitely state as to what would be the outcome of the preliminary enquiry. However, respondent No.2 states that it is because of the direction of the Collector that for the time being, the matter is pending for enquiry with respondent No.2.

2. All said and done, no penalty has been imposed upon the petitioners by any authority. Only on the basis of certain preliminary enquiry, the salary cannot be withheld.
3. In view of the above, at this stage, the petition is disposed off with a direction that salary of the petitioners should be paid regularly. This order shall not come in the way of the respondents in taking decision as may be found necessary in the matter of any complaint.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Chandra