

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 4894 of 2016

- Narayan Singh Kanwar S/o Late Mangloo Singh Kanwar, Aged About 56 Years Posted As Senior Accounts Clerk, Public Works Department, Champa Division, District Janjgir Champa (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Public Works Department, Mahanadi Bhawan, Mantralaya, New Raipur, District Raipur (Chhattisgarh)
2. Engineer In Chief, Public Works Department, Sirpur Bhawan, Raipur, District Raipur (Chhattisgarh)
3. Chief Engineer, Public Works Department, Bilaspur, District Bilaspur (Chhattisgarh)
4. Executive Engineer, Public Works Department, Champa Division, District Janjgir Champa (Chhattisgarh)

---- Respondents

For Petitioner : Mr. C.Jayant K. Rao, Advocate
For State / Respondent : Mr. R.K. Gupta, Dy. Advocate General

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

20/09/2016

Heard.

1. Learned counsel for the petitioner submits that the petitioner has filed this petition aggrieved by continuance of suspension order which was passed on 30.01.2016. Learned counsel for the petitioner submits that after suspension order was passed, inquiry has been initiated, charge-sheet has been filed, which has also been replied by the petitioner. Learned counsel for the petitioner contended that in view of the law laid down by the Supreme Court in the case of **Ajay Kumar Choudhary V. Union of India, (2015) 7 SCC 291**, the suspension is liable to be revoked.
2. Learned State counsel submits that the case of the petitioner shall be considered in accordance with law.

3. In view of the aforesaid submission, at this stage, the petition is disposed off. If the petitioner prefers separate representation before Engineer-in-chief, Public Works Department (Respondent No.2) for revocation, stating the grounds, Respondent No.2 shall consider the same by recording clear reasons whether suspension order shall further continue or not applying the law laid down by the Apex Court in case of **Ajay Kumar Choudhary** (supra). The exercise shall be completed within 45 days from the date of submission of the representation by the petitioner to Respondent No.2.
4. The petition is accordingly disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Chandra