

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 6774 of 2016**

- Shivcharan Ram S/o Late Shri Mukteshwar Ram Aged About 52 Years R/o Ring Road, Namnakala, Rajeev Nagar, Ambikapur, District Surguja, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Department Of Food, Mahanadi Bhawan, Mantralaya, Capital Complex, New Raipur, District- Raipur, Chhattisgarh
2. Chhattisgarh State Civil Supplies Corporation Limited, Through Its Managing Director, Hitwad Premises, Avanti Vihar Colony, Raipur, Chhattisgarh
3. Managing Director, Chhattisgarh State Civil Supplies Corporation Limited, Hitwad Premises, Avanti Vihar Colony, Raipur, District Raipur, Chhattisgarh

---- Respondents

For Petitioner	Mr. Manoj Paranjpe, Advocate
For State	Mr. Dheeraj Wankhede, Government Advocate.
For Respondents No. 2 &3	Mr. V.R. Tiwari, Advocate

SB: Hon'ble Shri Justice P.Sam Koshy**Order On Board****15.12.2016**

1. Sh. V. R. Tiwari, Advocate takes notice on behalf of the Chhattisgarh State Civil Supplies Corporation Limited / Respondents No. 2 & 3.
2. Learned Counsel for the Petitioner is directed to serve two sets of Writ Petition to Sh. V. R. Tiwari, Advocate.
3. The limited prayer in the present Petition is the revocation of the

suspension order under which the service of the present Petitioner has been placed under suspension from 25.06.2014. His contention is that as per the circular of the State Government dated 02.07.2012, in case if the charges have been framed but the trial has not been completed within a period of one year then as per the circular the suspension order deserves to be revoked.

4. Further specific contention of Mr. Manoj Paranjpe, Counsel is that the Petitioner was suspended along with a couple of other officers of Respondent No.2, Corporation who were also made accused in the same Crime number. Subsequently, invoking the same circular Respondents No. 2 and 3 have revoked the suspension order of the other co-accused officers but for some reasons not known to the Petitioner his suspension order has not been revoked.
5. At this juncture, learned State Counsel Mr. Dheeraj Wankhede submits that the State is not a decision making authority in the present case but it is Respondent No. 2 & 3 which has to look into the grievance of the Petitioner.
6. A couple of the Representations marked as Annexure/5 have been already made before Respondent No.3. In case Respondent authority finds the case of the Petitioner to be similar to that of the other co-accused particularly Chandrabhushan Chandrakar, this Court does not find reason why he should not be given the same benefits on the basis of parity.
7. At this juncture this Court is of the opinion that ends of justice would meet if the petition is disposed off at this juncture by sending the

matter to the authorities of Respondents No. 2 & 3 to take an appropriate decision in the case of the Petitioner in accordance with the Rules applicable.

8. In case Petitioner's case is different, Respondent No.3 shall be at liberty to pass an appropriate speaking order specifying reasons why his suspension can not be revoked.
9. With the aforesaid observations the present Writ Petition stands disposed off.

Sd/-

(P. Sam Koshy)
JUDGE