

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****Writ Petition (S) No. 473 of 2017**

Ashok Kumar Sinha S/o Late Makhan Lal Sinha, aged about 53 years,
Working as Asst. Account Officer at Chhattisgarh State Civil Supplies
Corporation Limited, Avanti Vihar, Hitavada Pariser, Head Office, Raipur,
District Raipur (Chhattisgarh)

---- Petitioner**Versus**

1. Chhattisgarh State Civil Supplies Corporation Limited through its Managing Director, Chhattisgarh State Civil Supplies, Corporation Limited, Head Office, Hitwad Parisar, Awanti Vihar Colony, Raipur, District Raipur (Chhattisgarh)
2. The Director (Administration) Chhattisgarh State Civil Supplies Corporation Limited, Head Office, Awanti Vihar Colony, District Raipur (Chhattisgarh)
3. The Commissioner, Public Welfare and Consumer Protection Department, Indrawati Bhawan, New Mantralay, District Raipur (Chhattisgarh)
4. The Managing Director, Chhattisgarh State Civil Supplies Corporation Limited, Raipur, District Raipur (Chhattisgarh)
5. The District Manager, Chhattisgarh State Civi Supplies Corporation Limited, Mahasamund, District Mahasamund (Chhattisgarh)

---- Respondents

For Petitioner	:	Shri R. K. Kesharwani, Advocate
For Respondents 1, 2, 4 & 5	:	Shri Kashif Shakeel, Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****21/03/2017**

The petitioner in the present writ petition has been inflicted with an order of punishment dated 13.03.2012 whereby the Managing Director has ordered for stoppage of three annual increments with cumulative effect and also for recover of Rs.10,69,522/- from the petitioner for the loss caused to the respondents.

2. Against the said order dated 13.03.2012 the petitioner preferred an appeal before the Chairman, CG State Civil Supplies Corporation Ltd., Raipur. The Chairman decided the appeal on 30.07.2012 whereby the punishment was slightly modified to the extent that in stead of stoppage of three annual increments with cumulative effect it was ordered for stoppage of two annual

increments with cumulative effect and the amount of recovery was also reduced from Rs.10,69,522/- to 50% of the said amount.

3. Admittedly, against this order of punishment also the petitioner preferred an appeal to the Board of Directors vide appeal dated 30.08.2012 Annexure P-14. Pursuant to the filing of the appeal, the Board of Directors constituted a two members Appellate Body to take a decision in the appeal of the petitioner as is reflected from the order dated 04.06.2013.

4. Counsel for the petitioner submits that though the Appellate Body was constituted as early as on 04.06.2013, till date no decision has been taken by the Appellate Body which compelled the petitioner to file the present writ petition.

5. Counsel appearing for the respondents submits that in between it appears that the Officers of the constituted Appellate Body got transferred to different department and therefore the Appellate Body could not take a decision. He further submits that if certain period of time is given by this Court, the appeal can be decided on its merits.

6. The said proposition put forth by the counsel for the respondents seems to be fair and reasonable and is also acceptable to the counsel for the petitioner.

7. In view of the same, this Court is not inclined to keep the matter pending any further. Accordingly, the present writ petition is disposed of with a direction to the Board of Directors to immediately take a decision on the appeal of the petitioner which is pending before it since 30.08.2012. Let this exercise be done by the Board of Directors within a period of 60 days from the date of presentation of the certified copy of this Order before the Board.

Sd/-
(P. Sam Koshy)
JUDGE