

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 2577 of 2017**

Anita Agrawal W/o Prahlad Kumar Agrawal, Aged About 49 Years
 District Programme Officer (Now Suspended), Women & Child
 Development Department, Raigarh, District Raigarh (Chhattisgarh)

---- Petitioner**Versus**

1. State Of Chhattisgarh Through : The Secretary Women & Child
 Development Department, Mahanadi Bhawan, Mantralaya, New Raipur,
 District Raipur (Chhattisgarh)
2. Under Secretary, Under Secretary, State Of Chhattisgarh, Women &
 Child Development Department, Mahanadi Bhawan, Mantralaya, New
 Raipur, District Raipur (Chhattisgarh)
3. Director, Office Of Director, Indrawati Bhawan, Raipur, District Raipur
 (Chhattisgarh)

--- Respondents

For Petitioner	:	Mrs. Hamida Siddiqui, Advocate
For State	:	Mr. S.P. Kale, Dy. A.G.

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****11/10/2017**

Heard.

1. In this case, the petitioner has challenged the suspension order dated 29-05-2017. Initially, when allegation was levelled that the petitioner has been singled out on account of gender discrimination, this Court had issued notices to the respondents. After going through the reply, I find that the gender discrimination is not made out. There are other grounds raised in this petition, which do not either relate to jurisdictional illegality or violation of principles of natural justice or ground of personal malice against the authority, exercising the power of suspension.

2. In that view of the matter, in view of the law laid down by the Supreme Court in the case of **Whirlpool Corporation. Vs. Registrar of Trade Marks,**

Mumbai and Others, 1998 (8) SCC 1, I am not inclined to examine the correctness of the order of suspension as the petitioner has efficacious remedy to prefer an appeal to the Governor under Rule 23 of the Chhattisgarh Civil Services (Classification, Control & Appeal) Rules, 1966. All the grounds, which have been raised in this petition including any other ground available to her under the law, may be raised in appeal by the petitioner. Further taking into consideration that the petitioner had already approached this Court and this Court had issued notices, it is directed that if the petitioner prefers an appeal within a period of 45 days, the appellate authority shall consider and decide the appeal, on its own merits, without raising any objection to the limitation of appeal.

3. With the aforesaid direction, this petition is finally disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge