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HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 1613 of 2017

- Ram Kumar Rajwade S/o Late Shri Matuk Ram Rajwade Aged About 44 Years Working on the post of Panchayat Secretary Village Panchayat Amarpur, R/o Village Rakaya Post Chinddand, Tahsil- Baikunthpur, District- Koriya, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Panchayat And Rural Development Department, Mahanadi Bhawan Mantralaya, Naya Raipur, Post & P.S. Naya Raipur, District- Raipur, Chhattisgarh
2. Director Panchayat Raipur, District- Raipur, Chhattisgarh
3. Collector, Baikunthpur, District- Koriya, Chhattisgarh
4. Chief Executive Officer, Zila Panchayat Koriya, District- Koriya, Chhattisgarh
5. Chief Executive Officer Janpad Panchayat Baikunthpur, District- Koriya, Chhattisgarh
6. Village Panchayat Amarpur Through The Sarpanch Baikunthpur, District- Koriya, Chhattisgarh
7. Manish Dwivedi Panchayat Secretary Village Panchayat Barpara, Post- Patrapali, District- Koriya, Chhattisgarh

---- Respondents

For Petitioner	Shri V. K. Pandey, Advocate
For Respondent-State	Shri Satish Gupta, GA

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

06/04/2017

1. The impugned order of suspension issued by the CEO, Jila Panchayat, Koriya is appealable before the General

Administration Committee of the said Jila Panchayat in terms of Rule 15 of the Chhattisgarh Panchayat Services (Discipline and Appeal) Rules, 1999.

2. In view of the law laid down by the Supreme Court in the matter of **Union of India and others vs. Major General Shri Kant Sharma and another**, reported in (2015) 6 SCC 773, the writ petition is not maintainable, as the petitioner has efficacious statutory alternative remedy available to him.
3. Let the petitioner move before the Appellate Authority within a period of 15 days from today. On such appeal being preferred, the Appellate Authority shall decide the petitioner's appeal, at the earliest, preferably within a period of 8 weeks from the date of submission of appeal.
4. Accordingly, the writ petition is disposed of.

Sd/-

JUDGE

PRASHANT KUMAR MISHRA

Nirala