

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 1688 of 2017

- Pawan Kumar Sharma S/o Shri Brahma Dutt Sharma, Aged About 51 Years Occupation Service, Presently Posted As Accountant (Trained), In The Office Of The Assistant Commissioner, Tribal Development, Old Composite Building, Bilaspur (Chhattisgarh), R/o D. P. Choubey Colony, Behind Dream Land School, Arvind Nagar, Sarkanda, Bilaspur, District Bilaspur (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through : Secretary, Schedule Caste And Schedule Tribe Development, Mahanadi Bhawan, Mantralaya, Capital Complex, New Raipur, District Raipur (Chhattisgarh)
2. Commissioner, Scheduled Castes And Scheduled Tribes Development Department, Indravati Bhawan, Naya Raipur, District Raipur (Chhattisgarh)
3. Commissioner, Bilaspur Division, Bilaspur (Chhattisgarh)
4. Collector, Tribal Development, Bilaspur, Distt. Bilaspur (Chhattisgarh)
5. Assistant Commissioner, Tribal Development, Old Composite Building, Bilaspur, District Bilaspur (Chhattisgarh)
6. Deputy Commissioner, Tribal Development, Bilaspur (Chhattisgarh)

---- Respondents

For Petitioner	Shri Malay Shrivastava, Advocate
For Respondent-State	Shri Satish Gupta, GA

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

11/04/2017

1. Learned counsel for the petitioner would submit that the petitioner has been suspended in exercise of powers under Rule 9 of the Chhattisgarh Civil Services (Classification, Control and Appeal) Rules, 1966 (henceforth 'the Rules, 1966') without mentioning that any departmental enquiry is in contemplation.
2. Learned State counsel would submit that the impugned order is appealable under Rule 23 of the Rules, 1966.
3. In view of the existence of alternative remedy, the writ petition is disposed of with a direction that in the event, the petitioner prefers an appeal before the Appellate Authority within a period of one month from today, the Appellate Authority shall consider and decide the appeal by a speaking order, on its own merits, at the earliest, preferably within a period of 3 months from the date of submission of appeal.
4. Till the petitioner's appeal is decided by the Appellate Authority, the impugned order shall remain stayed.

Sd/-

JUDGE

PRASHANT KUMAR MISHRA

Nirala