

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 2264 of 2017**

- Smt. Kiran Yadav W/o. Shri Sewak Ram Yadav, Aged About 45 Years Occupation Service, Assistant Grade III, Ekikrit Mahila & Bal Vikas Pariyojna Gariyaband, P. S. Gariyaband, Revenue Distt. Gariyaband, Civil Distt. Raipur At Present Residence Of Kasdol, Distt. Balodabajar (Chhattisgarh)

---- Petitioner**Versus**

1. State of Chhattisgarh Through The Secretary Women And Child Development Department, Mantralaya Mahanadi Bhawan, Capital Complex, New Raipur, Distt. Raipur (Chhattisgarh)
2. The Director, Women And Child Development Department, Indrawati Raipur, Tahsil And District Raipur (Chhattisgarh)
3. Collector, Raipur, District Raipur, Chhattisgarh
4. Collector, Gariyaband, District Gariyaband Chhattisgarh.
5. Project Officer, Women And Child Development Department Gariyaband Tahsil & Distt. Gariyaband (Chhattisgarh)

---- Respondents

For Petitioner	:	Shri Sunil Sahu, Advocate
For Respondents-State	:	Shri SP Kale, Dy. AG for the State

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****15/05/2017**

1. Learned counsel for the petitioner would submit that while the petitioner was working as AG-III in the office of District Project Officer, Integrated Child & Woman Development Project, Gariyaband, she has been suspended on 05.09.2008 and thereafter the departmental enquiry has been constituted but neither the departmental enquiry is completed nor the petitioner has been reinstated despite several representations. He would further submit

that the petitioner is paid only 50% of salary as subsistence allowance though there are circulars issued by the State Government that after one year of the order of suspension, the competent authority is required to review the suspension order to assess the desirability of its continuance as also for payment of enhanced amount of subsistence allowance.

2. Considering the entire facts situation of the case, the writ petition is disposed of with direction that in the event, the petitioner prefers fresh representation before the competent authority within three weeks from today, the competent authority shall decide the representation, by a speaking order, on its own merits, at the earliest, preferably within a period of two months from the date of submission of representation.
3. It is made clear that this Court has not expressed any opinion on the merits of the case and the respondent authorities shall decide the matter, on its own merits, strictly in accordance with law, without treating any observation made in this order, as opinion on the merits of the case.

Sd/-

Judge
Prashant Kumar Mishra

Ashu