

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 2787 of 2017

G.P.Khare S/o Late M. R. Khare, Aged About 57 Years R/o Qtr. No. D 2, Government Engineering College Colony, Dharampura, Jagdalpur, District Bastar, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Skill Development, Technical Education And Employment, Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur, Chhattisgarh.
2. Deputy Secretary, Department Of Skill Development, Technical Education And Employment, Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur, Chhattisgarh.
3. Commissioner, Technical Education, Directorate Of Technical Education, Chhattisgarh Indrawati Bhawan, Naya Raipur, District Raipur, Chhattisgarh.

---- Respondents

Shri Manoj Paranjpe, counsel for the petitioner/s.
Shri Manish Nigam, Panel Lawyer for the State.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

18/08/2017

The suspension order dated 16/06/2017 is challenged on the ground that the impugned order has been passed contrary to the established facts of the case.

2. It is submitted that on his own request made on 15/12/2015 to relieve him from the duties of In-charge, Principal, respondent No.2 issued order dated 15/03/2016 directing handing over charge to Dr. M.R.Khan. According to the petitioner, Mr. Khan was duly informed but he did not take charge which was informed to the Director, Technical Education on 18/05/2016, whereafter, the Director vide order dated 25/07/2016 directed the petitioner to serve show cause notice to Mr. Khan. According to the petitioner, he had duly served the notice to

Mr. Khan. But thereafter, suddenly suspension order was issued to the petitioner stating that the petitioner did not hand over charge to Mr. Khan, which according to the petitioner is patently illegal, arbitrary and perverse.

3. The reason assigned in the return placed on record is different from what is written in the order of suspension. Therefore, the matter requires due application of mind in the case and also requires decision with regard to the aspect of non-handing over of charge to Mr. Khan in the light of the established facts stated hereinabove. The decision in the matter shall be taken within 30 days from the date of receipt of copy of this order.

4. With the aforesaid observations, this petition is finally disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge