

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No.4979 of 2017

- Smt. Sheela Dhritlahre W/o Deendayal Dhritlahre Aged About 47 Years R/o Village Gauhod, Tahsil Palari, District Baloda Bazar-Bhatapara, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Mahila Evam Balvikas, Mantralaya, Naya Raipur, Chhattisgarh.
2. Commissioner Directorate Bal Vikas Mantralaya, Naya Raipur, Chhattisgarh.
3. Collector, Mahila Evam Bal Vikas Branch, District Baloda Bazaar-Bhatapara, Chhattisgarh.
4. Jila Karyakram Adhikari, Mahila Evam Bal Vikas Vibhag, District Baloda Bazaar-Bhatapara, Chhattisgarh.

---- Respondents

For Petitioner	:	Shri M. D. Dhote, Advocate
For Respondent/State	:	Shri Satish Gupta, GA

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

10/10/2017

Heard.

2. By this petition, the petitioner is assailing correctness and legality of suspension order dated 01-09-2017 on the ground that the Collector does not have jurisdiction to place under suspension any Class III/Class IV employee, who is an employee of Department of Women and Child Development.

3. Learned State counsel placed before the Court circular dated 23-05-1996 of the State Government, by which, in exercise of power under Rule 9 of the Chhattisgarh Civil Services (Classification, Control and Appeal) Rules, 1966 (In short "the Rules of 1966"), power of suspension to Class-III/Class IV employee has been delegated to the Collector of the District. Therefore, the said ground is not available to challenge the

impugned order. All the grounds raised in this petition including any other ground, could be raised by the petitioner by filing an appeal before the competent authority. The petitioner has efficacious and alternative remedy to file an appeal under Rule 23 of the Rules of 1966.

4. Accordingly, this petition is dismissed with liberty to file an appeal.

SD/-
(**Manindra Mohan Shrivastava**)
Judge