

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 4318 of 2017

Neetu Sinha (Shrivastava) W/o Shri Manish Shrivastava, Aged About 39 Years
R/o Dream City, Khamtarai, D - 63, Sarkanda, Police Station Sarkanda, District
Bilaspur Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Revenue And Disaster Management, Mantralaya Mahanadi Bhawan, Naya Raipur, District Raipur Chhattisgarh.
2. Commissioner, Bilaspur Division, District Bilaspur Chhattisgarh.
3. Collector, Office Of Collector (Land Records), Bilaspur, District Bilaspur Chhattisgarh.
4. Additional Collector Bilaspur, District Bilaspur Chhattisgarh.
5. Ghasiram S/o Mangaluram, Caste Satnami, R/o Village Lofandi, Tahsil & District Bilaspur Chhattisgarh.

---- Respondents

For Petitioner	:	Shri Chandresh Shrivastava, Advocate
For State	:	Shri Avinash Singh, Panel Lawyer

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

12/09/2017

Heard.

1. Learned counsel for the State fairly submits that charge sheet could not be given to the petitioner within 45 days from the date of suspension.
2. In view of provision contained in Rule 9 of the Civil Services (Classification, Control & Appeal) Rules, 1966, in case charge sheet is not issued within 45 days, order of suspension comes to an automatic end and stands revoked.
3. Therefore, in these circumstance, though I am not inclined to hold that suspension order was bad on its inception, it would not continue after expiry

of 45 days w.e.f. 13.6.2017. The petitioner shall be treated as having been reinstated immediately after expiry of 45 days from the date of suspension and shall be allowed to join in the office and paid salary.

4. The petition is accordingly allowed.

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

Praveen