

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 1739 of 2017**

- Ayodhya Prasad Banjare S/o Radheshyam Banjare, Aged About 45 Years R/o Village Khairtal, Post Kataud, Tehsil & Police Station Nawagarh, District Janjgir Champa, Chhattisgarh.

---- Petitioner**Versus**

1. State of Chhattisgarh Through The Secretary, Panchayat And Rural Development Department, Mantralaya, Naya Raipur (Chhattisgarh).
2. Collector, Janjgir Champa (Chhattisgarh).
3. Ajit Basant, Chief Executive Officer, Zila Panchayat Janjgir Champa (Chhattisgarh).
4. G. S. Nayak, Chief Executive Officer, Janpad Panchayat Nawagarh (Chhattisgarh).

---- Respondents

For Petitioner	:	Ms. Rajni Soren, Advocate
For Respondents-State	:	Shri Satish Gupta, GA for the State

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****17/04/2017**

1. Petitioner is aggrieved by the order of suspension Annexure P-12, passed by the Chief Executive Officer, Zila Panchayat, Janjgir-Champa on 23.03.2017.
2. It is argued that the order does not refer to the provision under which the order of suspension has been issued, therefore, the petitioner is unable to avail the appellate remedy.
3. Under Rule 15 of Chhattisgarh Panchayat Service (Discipline and Appeal)

Rules, 1999 (for short 'the Rules, 1999') an order of suspension has been made appealable before the authority competent to hear appeals as mentioned in the appendix appended to the Rules. The petitioner being an employee of Janpad Panchayat, the appeal would lie before the General Administrative Committee of the concerned Zila Panchayat.

4. In view of the above, since the petitioner has an alternative remedy of preferring an appeal, the writ petition is disposed of with liberty to the petitioner to avail the alternative remedy within two weeks with direction to the appellate authority to consider and decide the appeal at the earliest, preferably within a period of three months from the date of submission of appeal.

Sd/-

Judge

Prashant Kumar Mishra

Ashu