

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 2352 of 2017**

- A.K. (Ajay Kumar) Dahariya S/o Late Shri Ganeshram Dahariya, Aged About 67 Years Retired Sahayak Pashu Chikitsa Kshetra Adhikari, R/o Village And Post Baseen (Ghoghari), Police Station And Tahsil Dabhara, District Janjgir-Champa, Chhattisgarh.

---- Petitioner**Versus**

1. State of Chhattisgarh Through Its Secretary, Pashu Chikitsa Services Mahanadi Bhavan, Mantralaya Naya Raipur, Chhattisgarh.
2. Sanchalak, Pashu Chikitsa Services Chhattisgarh, Raipur, Chhattisgarh.
3. Collector, Rajnandgaon, Chhattisgarh.
4. Sahayak Sanchalak, Pashu Chikitsa Services, District Janjgir-Champa, Chhattisgarh.
5. Joint Director, Kosh, Lekha & Pension Janjgir-Champa, Chhattisgarh.

---- Respondents

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

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****19/05/2017**

1. Learned counsel for the petitioner would submit that on account of his arrest and prosecution, the petitioner was placed under suspension from 01.10.2001 to 02.08.2009, however, after the trial ended in his acquittal the order Annexure P-7 was passed because the petitioner was superannuated during the period when the suspension order was operating by treating the entire period of suspension as period on duty/service, however, the arrears of salary for the period of suspension has not yet been released despite

lapse of about 7 years.

2. Considering the issue brought before this Court, I deem it appropriate to dispose of the writ petition with direction that in the event the petitioner prefers detailed representation before the competent authority within a period of one month from today, the competent authority shall consider and decide the representation within next two months.
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