

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****Writ Petition (S) No. 2407 of 2017**

Nehru Lal Maheshwary S/o G.R. Maheshwary, aged about 57 years,
Occupation Service, presently posted as Chief Executive Officer,
Janpad Panchayat - Arang, District Raipur (Chhattisgarh)

---- Petitioner**Versus**

1. State of Chhattisgarh through : Secretary, Panchayat and Rural Development, Mahanadi Bhawan, Mantralaya, Capital Complex, New Raipur, District Raipur (Chhattisgarh)
2. Commissioner, Raipur Division Raipur, Chhattisgarh
3. Collector, Raipur, District Raipur, Chhattisgarh
4. Chief Executive Officer, Zila Panchayat, Raipur, District Raipur, Chhattisgarh

---- Respondents

For Applicant	:	Shri Rajeev Shrivastava, Advocate
For Respondent/State	:	Shri P. K. Bhaduri, Govt. Advocate

Hon'ble The Vacation Judge**Order on Board****24/05/2017**

Learned counsel for the petitioner would submit that the petitioner has been suspended in exercise of powers under Rule 9 of the Chhattisgarh Civil Services (Classification, Control and Appeal) Rules, 1966 (henceforth 'the Rules, 1966') without mentioning that any departmental enquiry is in contemplation.

2. Learned State counsel would submit that the impugned order is appealable under Rule 23 of the Rules, 1966.

3. In view of the existence of alternative remedy, the writ petition is disposed of with a direction that in the event, the petitioner prefers an appeal before the Appellate Authority within a period of one month from today, the Appellate Authority shall consider and decide the appeal by a speaking order, on its own merits, at the earliest, preferably within a period of 3 months from the date of submission of appeal.

4. Till the petitioner's appeal is decided by the Appellate Authority, the impugned order shall remain stayed.

Sd/-
(**Prashant Kumar Mishra**)
Vacation Judge

Bhola