

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 2707 of 2017**

Pankaj Kumar Patil S/o Late Shri Madhu Sudan Patil, Aged About 28 Years R/o Ravanbhata, Ward No. 7, Gariyaband, Police Station, Tahsil & District Gariyaband (Chhattisgarh) **---- Petitioner**

Versus

1. State Of Chhattisgarh Through Its Secretary, Department Of Revenue And Disaster Management, Mahanadi Mantralaya, Police Station & Post Rakhi, New Raipur, District Raipur (Chhattisgarh).
2. Commissioner, Office Of Commissioner, Near Ghadi Chowk, Raipur, District Raipur (Chhattisgarh).
3. Collector, Office Of Collectorate, Gariyaband, District Gariyaband (Chhattisgarh). **---- Respondents**

For Petitioner	:	Mr. Abhishek Pandey, Advocate
For State	:	Mr. Arvind Dubey, Panel Lawyer

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****28/06/2017**

Heard.

1. Learned counsel for the petitioner submits that suspension order has been issued to the petitioner and the order does not contemplate departmental enquiry or initiation of criminal case, therefore direction to prefer appeal before appellate authority as directed vide **order dated 18.03.2013 in WPS No.701/2013, K.N. Kashyap Vs. State of Chhattisgarh and others**, may be issued in the case of the petitioner also.
2. Learned counsel for the State also submits that as the issue arising in this petition and so far as challenge to the order of suspension is concerned, is similar, the petitioner may also prefer an appeal before the authorities.
3. Having considered the submission of the parties and more particularly

the order passed in case of K.N. Kashyap (supra) and **V.K. Kesharwani Vs. State of Chhattisgarh and another in W.P. No.2918 of 2006**, this petition is also disposed off with observation/ direction that in the event the petitioner prefers an appeal before the appellate authority within a period of 15 days from today along with an application for grant of interim relief/stay, the appellate authority shall deal with the appeal as also prayer for grant of interim relief and decide the same by speaking order as early as possible and preferably within a period of three months from the date of presentation of appeal.

4. Till the prayer for interim relief is considered and disposed off by the appellate authority, the effect and operation of the impugned order shall remain stayed during the pendency of prayer for interim relief.

Sd/-
(Manindra Mohan Shrivastava)
Judge