

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 4656 of 2017

S. K. Mishra S/o K.P.Mishra, Aged About 58 Years (Presently Suspended At Attached With District Jail Raigarh), Raigarh. District Raigarh Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through Principal Secretary, Home / Jai, Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur Chhattisgarh.
2. Director General Of Jail And Reformatory Services, Raipur, District Raipur Chhattisgarh.
3. Superintendent Of Jail, District Jail Raigarh, District Raigarh Chhattisgarh.

---- Respondents

For Petitioner	:	Shri Nasimuddin Ansari, Advocate
For State	:	Shri Chandresh Shrivastava, Panel Lawyer

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

Order On Board

11/09/2017

Heard.

1. Though number of grounds have been urged to assail the order of penalty, in the absence of there being any ground of absence of jurisdiction, violation of principles of natural justice in the sense that order is passed without giving any opportunity of hearing whatsoever and complete absence of any material to make it a prima facie case of malafide exercise of power, I am not inclined to entertain the petition without insisting on first exhausting the alternative remedy of statutory appeal available to the petitioner under Rule 23 of the Civil Services (Classification, Control & Appeal) Rules, 1966 read with the Police Regulations.
2. Therefore, reserving liberty to the petitioner to raise all grounds raised in this petition and such other grounds as may be available to him under the law, the

petition is dismissed.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Praveen