

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 495 of 2018**

Gautam Behra, S/o. Late Krishna Behra, Aged about 41 years, Presently R/o. Near Anil Kirana Stores, Behra Colony, Pandri, PS.: Civil Lines, Raipur (C.G.)

---- **Petitioner****Versus**

1. State Of Chhattisgarh Through The Secretary, Department of Veterinary Services, Mantralaya, Mahanadi Bhawan, Naya Raipur (C.G.)
2. The Joint Director, Department of Veterinary Services, Indrawati Bhawan, Naya Raipur (C.G.)

---- **Respondents**

For Petitioner	: Shri N. Naha Roy, Advocate
For State	: Shri Sangharsh Pandey, Deputy Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****11/01/2018**

(1) Learned counsel for the petitioner would submit that impugned order of suspension is passed under Rule 9 (2) of the Chhattisgarh Civil Services (Classification, Control and Appeal) Rules, 1966 (henceforth "Rules, 1966") is without jurisdiction and without authority of law.

(2) Learned counsel for the State would submit that impugned order is appellable under Rule 23 (iii) of the Rules, 1966.

(3) I have heard learned counsel appearing for the parties.

(4) Since the order is appellable under Rule 23(iii) of the Rules, 1966, I am not inclined to entertain this petition filed under Article 226 of the Constitution of India.

(5) Accordingly, the writ petition being devoid of merit is liable to be and is hereby dismissed on the ground of availability of alternative remedy. However,

petitioner is at liberty to file appeal / representation raising all permissible and legal grounds before the authority concerned and in that event the authority concerned shall consider and decide the same expeditiously in view of paragraph 21 of the judgment of the Supreme Court in the matter of **Ajay Kumar Chaudhary Vs. Union of India & others**¹.

(6) With the aforesaid direction, the writ petition stands finally disposed of.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-

¹ (2015) 7 SCC 291