

HIGH COURT OF CHHATTISGARH AT BILASPURWPS No. 3089 of 2017

Kamsingh Marawi S/o Late Parmanand Singh, aged about 52 years,
Presently working as Assistant Grade-II, Office of the Collector (Land
Records) Mungeli, District Mungeli (C.G.).

---Petitioner

Versus

1. State of Chhattisgarh, Through the Secretary, Department of Revenue,
Mahanadi Bhawan, Mantralaya, Naya Raipur, District Raipur (C.G.).
2. Collector, Mungeli, District Mungeli (C.G.).

---Respondents

For petitioner	:	Shri Jitendra Pali, Advocate.
For State	:	Shri S.P.Kale, Dy.A.G.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

03/07/2018

1. The challenge in the present Writ Petition is to the order of suspension Annexure-P/1 dated 07/03/2017 whereby the services of the petitioner has been placed under suspension from more than 1 year.
2. The counsel for the petitioner submits that, it is more than 1 year that the petitioner is placed under suspension. He further relies upon the circular of the State Government dated 02/07/2012 wherein it has been held that the employees under suspension should not be kept under suspension for a period of more than 1 year and all necessary steps should be taken for conclusion of the disciplinary proceedings initiated in between. He also relies upon the decision of the Hon'ble Supreme Court in the case of **Ajay Kumar**

Choudhary v. Union of India through its Secretary and Anr.
[2015 7 SCC 291].

3. Lastly, it was contended by the counsel for the petitioner that the respondent/State may be directed to consider the revocation of the suspension of the petitioner and also may be directed to conclude the departmental enquiry initiated against the petitioner at the earliest.

4. The said request made by the counsel for the petitioner is not opposed by the State Government.

5. Accordingly, the present Writ Petition stands disposed off with a direction to the respondent No.2 to determine whether there is any necessity for continuing with the suspension of the petitioner any further as he has already remained under suspension for a period of about 15 months and further though the enquiry officer was appointed on the same day i.e. on 12/04/2017, but till date no progress has been made in the departmental enquiry. Therefore steps should be taken for conclusion of the departmental enquiry if the respondents intends to proceed further with the disciplinary proceedings against the petitioner at the earliest preferably within a period of 4 months from the date of receipt of copy of this order.

6. It is directed that the petitioner also would be rendering all co-operation in the departmental enquiry.

7. The Writ Petition accordingly stands disposed off.

Sd/-

(P. Sam Koshy)
JUDGE