

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****Writ Petition (S) No. 3146 of 2016**

T. R. Karte S/o Shri Vishal Singh Karte, aged about 53 years, employed as Block Education Officer, Mangaon, Distt. Rajnandgaon, Chhattisgarh

---- Petitioner**Versus**

1. State of Chhattisgarh through its Secretary, Department of Schedule Tribes and Schedule Caste Development, Ministry at Mahanadi Bhawan, New Raipur, P.S. Rakhi, Distt. Raipur, Chhattisgarh
2. State of Chhattisgarh, through its Secretary, Department of School Education, Ministry at Mahanadi Bhawan, New Raipur, P.S. Rakhi, Distt. Raipur, Chhattisgarh
3. Commissioner, Raipur Division, Distt. Raipur, Chhattisgarh
4. Collector, (Tribal Development), Rajnandgaon, Distt. Rajnandgaon, Chhattisgarh

---- Respondents

For Petitioner	:	Shri Rakesh Kumar Jha, Advocate
For Respondent/State	:	Shri Lav Sharma, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy**Order On Board****27/03/2018**

Grievance of the petitioner is that he has been placed under suspension vide two orders dated 12.12.2012 and 29.12.2012 and that two separate departmental inquiries are also pending against him.

2. Counsel for the petitioner submits that though the petitioner has been placed under suspension for more than six years time yet the departmental enquiry has not been concluded. He prays that let the petitioner make a fresh detail representation to the authorities for considering revocation of the

suspension order in the light of the judgment of the Supreme Court in the case of Ajay Kumar Choudhary Vs. Union of India reported in (2015) 7 SCC 291.

3. Perusal of the record reflects that present writ petition was filed in the year 2016 but till date reply of the State Government has not been filed.

4. Given the facts and circumstances of the case, the petitioner is directed to make a detail representation to respondent no.1 to consider the case of the petitioner seeking for revocation of suspension as per the judgment of the Supreme Court in the case of Ajay Kumar Choudhary (supra). The Authority concerned while deciding the representation/objection shall take into consideration whether there is any further requirement of the prolonged suspension of the petitioner who from the record appears to be under suspension from 2012 onwards.

5. The writ petition accordingly stands disposed of. Let the representation be made within a period of three weeks from today and in turn, the Authority concerned shall try to dispose of the representation of the petitioner as expeditiously as possible preferably within a period of 90 days from the date of receipt of representation. It is directed that the authority concerned shall also look into the grievance of the petitioner of non payment of subsistence allowance.

**Sd/-
(P. Sam Koshy)
JUDGE**