

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 1359 of 2018**

Dr. Pramod Tiwari S/o Late S. N. Tiwari, Aged About 57 Years, Child Specialist And Incharge, Block Medical Officer, Takhatpur, Presently Suspended And Attached At - O/ O The Chief Medical And Health Officer, Raipur R/o H/2 - 13, Narmada Nagar, Bilaspur, District Bilaspur Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Its Secretary, Department Of Public Health And Family Welfare Mantralaya, Mahanadi Bhawan, Naya Raipur Chhattisgarh.
2. The Director, Health Services, Chhattisgarh H.Q. Indrawati Bhawan, Naya Raipur Chhattisgarh.
3. The Chief Medical And Health Officer, Bilaspur District Bilaspur Chhattisgarh.

---- Respondents

For Petitioner	:	Mr. Rajesh Kumar Kesharwani, Advocate.
For Respondent / State	:	Mr. Dilman Rathi Minj, Dy. Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****12/02/18**

1. Learned counsel appearing for the petitioner would submit that against the impugned order of suspension dated 11.11.2014 (Annexure -P/1) passed by respondent No. 1, the petitioner has preferred a representation before the competent authority on 22.05.2017 but it has not been considered and decided till date.
2. Learned counsel for the petitioner would further submit that the impugned order is unsustainable and bad in law as the charge-sheet was issued to the petitioner on 02.02.2015 but till date no enquiry proceedings

has been initiated against him and the petitioner continues to be under suspension which is contrary to the decision rendered by Hon'ble Apex Court in the matter of **Ajay Kumar Choudhary v. Union of India & Anr.**¹

2. I have heard learned counsel for the petitioner.

3. Be that as it may, the petitioner is at liberty to make additional representation before the competent authority for revocation of his suspension and may bring to the notice of the competent authorities the decision of the Supreme Court in *Ajay Kumar Choudhary* (supra) and, in turn, the competent authority shall consider and decide the petitioner's representation for revocation of his suspension in accordance with law expeditiously preferably within a period of three months from the date of receipt of copy of representation.

4. With the aforesaid observations, the writ petition stands finally disposed of. No order as to cost(s).

SD/-
(Sanjay K. Agrawal)
Judge

1 (2015) 7 SCC 291