

HIGH COURT OF CHHATTISGARH, BILASPUR**WRIT PETITION (S) NO. 5042 OF 2017**

1. Sanat Kumar Mahipal S/o Jethuram Mahipal, Aged About 45 Years Panchayat Sachiv Under Suspension Gram Panchayat Sonesarar, Block Dhamdha, District Durg Chhattisgarh.

...Petitioner(s)**Versus**

1. State of Chhattisgarh Through The Secretary, Department Of Panchayat, Mahanadi Bhawan, Mantralaya Naya Raipur, Chhattisgarh.
2. Chief Executive Officer, Jila Panchayat, Durg, District Durg Chhattisgarh.
3. Chief Executive Officer, Janpad Panchayat, Dhamdha, District Durg Chhattisgarh.
4. Sarpanch Smt. Godavari Bai, Gram Panchayat Sonesarar, Block Dhamdha, District Durg Chhattisgarh.

... Respondent(s)

For Petitioner	:	Shri TK Jha, Advocate.
For Respondent-State	:	Shri Mazid Ali, Govt. Advocate.
For Respondent No.3	:	Shri Sangharsh Pandey, Advocate.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****06.09.2018**

1. Challenge in this petition is to the order of suspension dated 19.07.2017 (Annexure P/1) as also the disciplinary proceedings initiated against the petitioner vide order dated 24.08.2016 (Annexure P/2).
2. The order Annexure P/2 was an order of appointment of Enquiry Officer contemplating Departmental Enquiry against the petitioner on 24.08.2016. Thereafter, in the course of enquiry the services of the petitioner has been placed under suspension on 19.07.2017 (Annexure P/1).
3. The counsel for the petitioner submits that more than two years have passed from the date the enquiry officer was appointed but till date

enquiry has not been concluded and the petitioner has also been placed under suspension and thereby put to substantial inconvenience and difficulties. The respondents have not been able to collect anything in the course of investigation and the petitioner is unnecessarily being put to hardship by the respondents by not concluding the departmental enquiry.

4. The petitioner further submits that in the course of enquiry many of the witnesses infact have not supported the case of the department, rather have proved it otherwise.
5. Given the aforesaid facts and circumstances of the case, this court does not intend to keep this petition pending. Accordingly, the respondents are directed to ensure that Departmental Enquiry initiated against the petitioner is concluded at the earliest preferably within an outer limit of six months from today. Meanwhile, the respondents would also consider whether there is any further necessity pending the Departmental Enquiry to keep the services of the petitioner still under suspension.
6. Accordingly, the writ petition stands disposed of.

Sd/-
(P.Sam Koshy)
Judge