

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 3278 of 2018**

Parsu Ram Nayak S/o Late Lamra Ram, aged about 60 years,
Occupation- Service, Presently suspended from the post of Sub-
Divisional Officer Rural Engineering Service Sub- Division Kunkuri,
District- Jashpur, Chhattisgarh

---- Petitioner**Versus**

1. State of Chhattisgarh through the Secretary, Department of Panchayat and Rural Development Mahanadi Bhawan, New Raipur District- Raipur, Chhattisgarh
2. Chief Engineer Rural Engineering Service, Vikash Bhawan Civil Lines Raipur, District- Raipur, Chhattisgarh

---- Respondents

For Petitioner	:	Shri A. N. Pandey, Advocate
For Respondent/State	:	Shri Ashutosh Pandey, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy**Order On Board****24/04/2018**

The grievance of the Petitioner is the order of suspension which has been passed on 24.10.2016.

2. Counsel for the petitioner submits that the reason for passing of the suspension order was the criminal case in which the Petitioner was implicated and in the said case, the Petitioner had been put in custody for more than 48 hours. He submits that subsequently, the Petitioner has been released on bail and the order of suspension remains in operation for 1 1/2 years. He submits that till now, only few witnesses have been examined out of 23 witnesses and that there is no reason for prolonging the suspension by the Respondent authorities. He submits that the case of the Petitioner may

be disposed of with a direction to Respondent No.1 to consider the case of the Petitioner whether there is any requirement to prolong suspension and the case of the Petitioner may be decided in the light of the judgment of the Hon'ble Supreme Court in case of Ajay Kumar Choudhary v. Union of India through its Secretary and Anr. {(2015) 7 SCC 291}.

3. The prayer made by the Petitioner is not opposed by the State Counsel.

4. Accordingly, the writ petition stands disposed of with a direction to the Respondent No.1 to consider the case of the Petitioner, particularly, keeping in view of the judgment of the Hon'ble Supreme Court in case of Ajay Kumar Choudhary (supra) and particularly considering the aspect whether there is need for further continuing suspension of the Petitioner or not. The Respondents shall also take recourse of Circulars issued by State Government in this regard. Let this exercise be done within a period of 60 days from the date of receipt of a certified copy of this order.

Sd/-
(P. Sam Koshy)
JUDGE