

HIGH COURT OF CHHATTISGARH AT BILASPURWPS No. 3856 of 2018

K.Venkatraman S/o Shri K.S.Rao, aged about 50 years, Occupation Teacher (Block Resource Coordinator), R/o Station Para, Tahsil Sakti, District Janjgir-Champa (C.G.).

---Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of School Education, Mantralaya, Mahanadi Bhavan, New Raipur, District Raipur (C.G.).
2. District Education Officer, Janjgir-Champa (C.G.).
3. Director, Rajeev Gandhi Shiksha Mission, Janjgir-Champa (C.G.).

---Respondents

For petitioner	:	Shri Sunil Otwani, Advocate.
For State	:	Shri Lav Sharma, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

18/05/2018

1. The grievance of the petitioner in the instant Writ Petition is that the petitioner has been placed under suspension for more than 5 years now i.e. since 29/07/2013.
2. The counsel for the petitioner submits that, the criminal case in which the petitioner is an accused and which is the basis of the order of suspension is still pending consideration and no substantial progress has been made in the said trial. He further submits that, the charge itself was framed as late as on 01/12/2014 and thereafter the matter is fixed for the evidence of prosecution and only a few witnesses have till date been examined and there is no possibility of an early disposal of the criminal case.

That since the petitioner has already been released on bail, no fruitful purpose would be served in keeping the petitioner under suspension. He further submits that, the petitioner has made a representation to the respondent No.1 for reconsidering the continuity of suspension of the petitioner, but till date no decision has been taken on the same.

3. The above said facts are not disputed by the State counsel.
4. Accordingly, the Writ Petition stands disposed off with a direction to the respondent No.1 to reconsider the necessity of continuity of suspension of the petitioner and decide the representation of the petitioner. That while deciding the representation, the authorities concerned would also take into consideration the observations of the Hon'ble Supreme Court in the case of **Ajay Kumar Choudhary v. Union of India through its Secretary & Anr. [2015 7 SCC 291]**.
5. It is expected that the respondent No.1 shall take a decision on the representation of the petitioner within a period of 60 days from the date of receipt of certified copy of this order.
6. The Writ Petition accordingly stands disposed off.

Sd/-

(P. Sam Koshy)
JUDGE