

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3801 of 2018

Vinod Kumar Sahu S/o Shri Panch Ram Sahu, Aged About 27 Years R/o Village And Post- Dhramapura, District- Mungeli, Chhattisgarh., District : Mungeli, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Health And Family Welfare, Department , Mahanadi Bhawan, New Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
2. The Collector, Korba, District- Korba, Chhattisgarh., District : Korba, Chhattisgarh
3. District Ayurved Officer, Korba, District- Korba, Chhattisgarh., District : Korba, Chhattisgarh
4. Office Of Govt. Ayurvedic Dispensary, Parsada, District- Korba, Chhattisgarh., District : Korba, Chhattisgarh

---- Respondents

For Petitioner	:	Shri Somkant Verma, Advocate
For State	:	Shri Majid Ali, Dy. Govt. Advocate

S.B. : Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

18/05/2018

Heard.

1. This petition has been filed by the petitioner seeking a direction for payment of full salary immediately after completion of 3 months of suspension.
2. Learned counsel for the petitioner would submit that the petitioner was suspended on 30.11.2015 for the reason that a criminal case was registered against the petitioner. He would submit that though a criminal case was registered against him, no departmental enquiry was initiated nor any charge

sheet was issued. Therefore, the respondents were obliged to reinstate the petitioner by revoking suspension order.

3. Learned counsel for the petitioner could not point out any provision of law under which suspension would come to an automatic end only on the ground that charge sheet has not been issued, in a case where the suspension takes place on the ground of institution of criminal case.
4. It is not a case where the petitioner was suspended in contemplation of a departmental enquiry but no charge sheet was issued within 45 days or 90 days, as the case may be, after issuance of suspension order.
5. Therefore, no case for interference is made out. The petition is dismissed.

Sd/-
(Manindra Mohan Shrivastava)
Judge