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HIGH COURT OF CHHATTISGARH AT BILASPUR**Writ Petition (S) No. 4063 of 2018**

C.R. Dewangan S/o Shri Dwarika Prasad Dewangan, Aged About 62 Years, Assistant Engineer, Lok Swasthya Yantrikiya Vibhag, R/o Adhikshan Abhiyanta Lok Swasthya Yantrikiya Vibhag Mandal Jagdalpur, Tahsil and Thana Jagdalpur District Jagdalpur Chhattisgarh

---- Petitioner**Versus**

1. State of Chhattisgarh through Secretary, Lok Swasthya Yantriki Vibhag, Mananadi Bhawan, Mantralaya Naya Raipur, Chhattisgarh
2. Pramukh Abhiyanta, Karyalaya Pramukh Abhiyanta Lok Swasthya Yantrikiya Vibhag, Indrawati Bhawan Naya Raipur, District Raipur, Chhattisgarh
3. Adhikshan Abhiyanta, Lok Swasthya Yantriki Vibhag, Jagdalpur Mandal Jagdalpur, District Jagdalpur, Chhattisgarh

---- Respondents

For Petitioner	:	Shri Rajendra Kumar Patel, Advocate
For Respondent/State	:	Shri Majid Ali, Dy. Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****20/06/2018**

The grievance of the petitioner in the instant case is that he has been placed under suspension w.e.f. 28.01.2016 and he will retire on attaining the age of superannuation in July 2018 i.e. next month but till date there has been no substantial progress in the Departmental Enquiry.

2. Counsel for the petitioner prays that the authorities concerned may be directed to consider the issue whether there is any necessity in

continuing the petitioner under suspension. He further prays that the case of the petitioner may be considered in the light of the judgment of the Supreme Court in the case of Ajay Choudhary Vs. Union of India and Anr. reported in (2015) 7 SCC 291.

3. The said limited prayer sought for by the petitioner has not been opposed by the respondents.

4. Accordingly, the writ petition stands disposed of with a direction that respondent no.2 shall look into the grievance of the petitioner and consider whether there is any further requirement of continuing the petitioner under suspension. The petitioner is at liberty to make a fresh representation in addition to any earlier representation that he has made in respect of his grievances. Respondent no.2 shall decide the representation of the petitioner pending in this regard keeping in view the judgment of the Supreme Court in the case of Ajay Choudhary (supra). Let an appropriate decision be taken within a period of 30 days from the date of receipt of certified copy of this order. The petitioner is directed to serve the order of this Court before respondent no.2 promptly along with his representation if any.

**Sd/-
(P. Sam Koshy)
JUDGE**