

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 4429 of 2018**

Smt. Kaushilya Rajwade S/o Shri Dalbir Ram Aged About 27 Years
R/o Village- Jodhpur, Post And Tahsil And Police Station Lakhanpur,
District- Sarguja, Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through- The Secretary, Department Of Panchayat And Social Welfare, Mantralaya, Mahanadi Bhawan, Raipur, Chhattisgarh.
2. The Chief Executive Officer, Janpad Panchayat Lundra, District- Sarguja, Chhattisgarh.
3. The Block Education Officer Lundra, District- Sarguja, Chhattisgarh.

----Respondents

For Petitioner	:	Mr. Rishi Rahul Soni, Advocate
For State	:	Mr. Chandresh Shrivastava, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy**Order on Board****06/07/2018**

1. The grievance of the petitioner in the instant case is that though the petitioner was placed under suspension w.e.f. 25.02.2014, till date there has been no substantial development in the departmental inquiry that is contemplated, nor has the petitioner been served with any charge sheet and unnecessarily the petitioner is being continued under suspension for no fault of her.
2. Perusal of the order of suspension shows that there were certain allegations so far as the petitioner having obtained employment by playing fraud, but what reflects is that the respondents have till date not taken a final decision after the order of suspension was issued, in as much as no charge sheet has been issued against the petitioner, the departmental enquiry has not progressed, nor have the respondents passed any disciplinary order against the petitioner. The

counsel for the petitioner submits that till date the petitioner is being paid the subsistence allowance.

3. Given the aforesaid factual matrix of the case, this Court is inclined to dispose of the writ petition at this juncture rather ends of justice would meet if a direction is given to the respondent No.2 to take a final decision on the suspension order of the petitioner in the light of the judgment of the Hon'ble Supreme Court in the case of "***Ajay Kumar Choudhary v. Union of India through its Secretary and Anr.***" [2015 7 SCC 291]. That, while considering the same the authorities would also consider the necessity of continuing the petitioner under suspension. If the respondents decide to initiate disciplinary action against the petitioner, then let appropriate steps be taken ensuring a final order in that regard be also passed within a further outer limit of six months from today.
4. Let the order passed by this Court be placed before the respondent No.2 by the petitioner himself, so that the respondent No.2 can take the decision as directed by this Court promptly.
5. With the aforesaid observations, the writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge