

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 4418 of 2018**

S.K. Gupta S/o Late Shri C.P. Gupta, Aged About 53 Years Executive Engineer (Under Suspension) Chhattisgarh Gramin Sadak Vikas Abhikaran, Uttar Bastar, Kanker R/o 302 Sunder Nagar Raipur Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh, Through Secretary, Department Of Panchayat and Rural Development, Mantralaya, Mahanadi Bhawan Naya Raipur Chhattisgarh.
2. Chief Executive Officer, Chhattisgarh Gramin Sadak Vikas Abhikaran, Vikas Bhawan, Civil Lines, Raipur Chhattisgarh.
3. Chief Engineer (Sandharan), Chhattisgarh Gramin Sadak Vikas Abhikaran, Civil Lines, Raipur Chhattisgarh.
4. Superintending Engineer, Chhattisgarh Gramin Sadak Vikas Abhikaran, Project Division No. 2 Kanker District Kanker Chhattisgarh.

----Respondents

For Petitioner	:	Mr. Saleem Kazi, Advocate
For State	:	Mr. Shashank Thakur, Govt. Advocate

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

1. The challenge in the present writ petition is to the order of suspension dated 31.05.2018, passed by the respondents/State.
2. Perusal of the record would show that the order of suspension has been passed invoking the provisions of Rule 9 of the Chhattisgarh Civil Services (Classification, Control and Appeal) Rules, 1996.
3. Rule 23 of the said Rules provides for an appeal against the order of suspension. In the instant case, the petitioner does not seem to have preferred an appeal against the impugned order, but has rushed to the High Court by filing this writ petition.

4. Given the facts that there is an alternative statutory remedy available to the petitioner, this Court is not inclined to entertain the petition at this juncture. Reserving the liberty of the petitioner to immediately prefer an appeal to the Appellate authority against the impugned order, the present writ petition stands disposed of with a direction that in the event, if the petitioner prefers an appeal within a period of 15 days from today before the Appellate authority, ignoring the aspect of limitation, the Appellate authority shall decide the appeal of the petitioner on merits as expeditiously as possible within an outer limit of 90 days from the date of receipt of the appeal.
5. The writ petition accordingly stands disposed off.

Sd/-
(P. Sam Koshy)
Judge

Ved