NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 4585 of 2018

Girdhari Lal Agrawal S/o Late Shri Hariram Agrawal, Aged About 55 Years R/o Ward No. 4, Agrawal Dharamshala Road, Saraipali, District Mahasamund Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh, Through The Secretary, Department Of Agriculture, Mantralaya, Mahanadi Bhawan, New Raipur, Chhattisgarh.
2. Chhattisgarh State Agriculture Marketing Mandi Board, Through The Managing Director, G.E. Road, Telibandha, Raipur, District Raipur Chhattisgarh.
3. Managing Director, Chhattisgarh State Agriculture Marketing Mandi Board, G.E. Road, Telibandha, Raipur, District Raipur Chhattisgarh
4. Collector, Mahasamund, District Mahasamund Chhattisgarh.

----Respondents

For Petitioner	:	Mr. Amrito Das, Advocate along with Mr. K. Rohan, Advocate
For State	:	Mr. Syed Majid Ali, Dy. G.A.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

16/07/2018

1. This is the second round of litigation. The first round of litigation was by way of a writ petition that was WPS No. 2850/2018, which got decided on 06.04.2018.

2. The challenge in the said writ petition and in the present writ petition is to a suspension order dated 27.02.2018. Vide order dated 06.04.2018 in WPS No. 2850/2018 this Court had disposed of the writ petition directing the petitioner to prefer an appeal before the Chairman against the impugned order of suspension.

3. Record shows that subsequently the petitioner has preferred an appeal against the said order on 23.04.2018. Though it is almost 3 months now the appeal till date has not been decided, on the contrary, the grievance

of the petitioner is that the respondents have now with malafide intention proceeded against the petitioner for a departmental inquiry by issuance of a charge sheet.

4. Considering the facts and circumstances of the case, more particularly when on an earlier occasion this Court had directed the petitioner to prefer an appeal and the petitioner having preferred an appeal as early as on 23.04.2018. In addition, this Court in its order dated 06.04.2018 had also directed the Chairman to consider and decide the appeal at the earliest, but it seems that the Chairman has till date not decided the appeal.

5. Given the facts, this Court does not intend to proceed further with the writ petition at this juncture by keeping it pending, rather ends of justice would meet if the appeal of the petitioner which is pending consideration before the Chairman is ordered to be decided within a further stipulated period.

6. Accordingly the present writ petition stands disposed off with a direction, that the Chairman of the respondent No.2-Board shall ensure that the appeal of the petitioner which is pending consideration before him shall be decided at the earliest within the outer limit of 45 days from the date of receipt of the order of this Court.

7. It shall be the duty of the petitioner to bring the order of this Court to the notice of the Chairman of the respondent No.2-Board.

8. With the aforesaid observations, the writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge

Ved