

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 5608 of 2018**

Ishwar Singh Thakur S/o Shri Puran Singh, Aged About 51 Years,
Occupation Suspended Panchayat Secretary, Village Panchayat
Beeja Block Saja, Janpad Panchayat Saja, Tahsil Saja, District
Bemetara, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Panchayat And Rural Development Department, Mahanadi Bhawan Naya Mantralaya, Raipur, Chhattisgarh
2. The Director, Panchayat And Rural Development Department, Indrawati Bhawan, Naya Mantralaya, District Raipur, Chhattisgarh
3. The Collector Bemetara, District Bemetara, Chhattisgarh
4. The Chief Executive Officer, Zila Panchayat Bemetara, District Bemetara, Chattisgarh
5. The Chief Executive Officer, Janpad Panchayat Saja, District Bemetara, Chhattisgarh

---- Respondents

For Petitioner	:	Shri J. N. Nande, Advocate
For State	:	Ms. Astha Shukla, P.L.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****29.08.2018**

The petitioner who was working as a Panchayat Secretary under Gram Panchayat Beeja, Janpad Panchayat Saja, District Bemetara was placed under suspension vide order dated 12.10.2009.

2. Contention of the petitioner is that though almost 9 years have lapsed from the date of issuance of suspension order, till date the charge sheet has not been issued and he is still placed under suspension which is totally illegal and bad in law.
3. Under the Service Rules, the charge sheet ought to have been filed within a reasonable period and in the instant case, all reasonable period has lapsed and almost 9 years have lapsed from the date of issuance of suspension order to the petitioner.
4. Given the said facts, this Court is compelled to hold that the order of suspension stands automatically revoked and the respondent authorities are directed to immediately take back the petitioner in service and the authority concerned i.e. the authority who has passed the order of suspension to pass a suitable order holding as to how the intervening period has to be treated. Let this exercise be done within a period of 60 days from the date of receipt of certified copy of this order.
5. With the aforesaid observation, the writ petition stands allowed and disposed of.

Sd/-
P. Sam Koshy
Judge