

HIGH COURT OF CHHATTISGARH, BILASPUR**WRIT PETITION (S) NO. 8315 OF 2018**

1. Shree Ram Sahu, aged about 37 years, S/o Shri Manbodhi Ram Sahu, Occupation – Assistant Teacher (P) at Government Primary School, Sukhatal, R/o Village Khurusbod, Block Saja, P.S. Khandasara Janpad Panchayat Saja, Tahsil – Than Khamriya, District Bemetara, Chhattisgarh.

...Petitioner**Versus**

1. State Of Chhattisgarh Through Its Secretary, Department of Panchayat and Rural Development, Secretariat, Mahanadi Bhawan, New Raipur, Chhattisgarh.
2. Collector, District Bemetara, Chhattisgarh
3. Chief Executive Officer, Zila Panchayat, Bemetara (C.G.)
4. Chief Executive Officer, Janpad Panchayat, Saja, District Bemetara (C.G.)
5. Block Education Officer, Block Saja, District Bemetara (C.G.)

... Respondent(s)

For Petitioner	:	Shri Jitendra Nath Nande, Advocate.
For Respondent-State	:	Shri Majid Ali, Dy. G.A.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****14.12.2018**

1. The challenge in the writ petition is to the order of suspension dated 23.01.2018 (Annexure – P/1) passed by respondent No. 4.
2. The contention of learned counsel for the petitioner is that though more than eleven months have passed, the respondents till date have neither issued the petitioner with a charge-sheet nor have they initiated any enquiry proceeding against the petitioner. According to learned counsel for the petitioner since the respondents have failed to issue a charge-sheet to the petitioner within three months from the date of suspension, the order of suspension should have been automatically revoked. Having not been done so, an appropriate direction be issued to respondent No. 4 to consider the case of the petitioner in this regard.

3. Given the said facts and circumstances of the case particularly taking note of the submission made by learned counsel for the petitioner that since more than eleven months have passed the petitioner having not been issued with a charge-sheet or any enquiry having been initiated against him, let the respondent No. 4 take an appropriate decision at the earliest and consider whether there is any further necessity in continuing the services of the petitioner under suspension. Let the exercise be completed within sixty days from the date of receipt of copy of this order. It shall be the responsibility of the petitioner to apprise the respondent No. 4 so far as the order which has been passed by this Court.

4. With the aforesaid direction, the writ petition stands disposed of. No costs.

Sd/-

(P. Sam Koshy)
Judge