

HON' BLE SRI JUSTICE SURESH KUMAR KAIT
&
HON' BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.A. No. 934 of 2018

JUDGMENT:- (ORAL)

(Per Hon'ble Sri Justice Suresh Kumar Kait)

This writ appeal is directed against the order dated 28.06.2018 in W.P.No. 21915 of 2018 passed by learned Single Judge of this Court, whereby the order of suspension of the respondent from service, has been suspended.

The learned counsel for the petitioners submits that the charge sheet has already been issued against the respondent and by order dated 28.06.2018, the learned Single Judge has suspended the charge sheet, and therefore, the petitioners are not able to proceed with the departmental enquiry against the respondent.

We note, in the impugned order, it is specifically stated that suspension from service by referring to the report of the Superintendent (T), would amount to arbitrary exercise of power and authority. It is nowhere mentioned in the order about the charge sheet dated 18.06.2018.

In view of the above, we find no ground to interfere with the order passed by the learned Single Judge of this Court.

Hence, the writ petition is devoid of merit and the same is accordingly dismissed. No order as to costs.

As a sequel, Miscellaneous Petitions, if any pending,
shall stand disposed of as infructuous.

SURESH KUMAR KAIT, J

12.07.2018

ABHINAND KUMAR SHAVILI, J

bcj

