

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 451 of 2019**

Radheshyam Diwakar S/o Anjor Das Aged About 50 Years Block Education Officer, R/o Pathalgaon, District- Jaspur, Chhattisgarh, Present Address- Vivekanand Colony, Mopka, Bilaspur, Tahsil- And District- Bilaspur, Chhattisgarh, District : Bilaspur, Chhattisgarh

---- **Petitioner**

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Education, Manralaya, Naya Raipur, Chhattisgarh, District : Raipur, Chhattisgarh
2. Under Secretary, Department Of School Education, Mantralaya, Raipur, District- Raipur, Chhattisgarh, District : Raipur, Chhattisgarh
3. District Education Officer, Jashpur, District- Jashpur, Chhattisgarh, District : Jashpur, Chhattisgarh

---- **Respondents**

For petitioner : Ms. Rajni Soren, Advocate.

For Res. No. 1 & 2 : Ms. Sunita Jain, GA

Hon'ble Shri Justice P. Sam Koshy

Order on Board

23/01/2019

1. The challenge in the present writ petition is to the order dated 16/10/2018 whereby the petitioner has been placed under suspension. The challenge is on the ground that there is no substantial material available with the authorities to have placed the petitioner under suspension. However, perusal of the record would show that the petitioner has been placed under suspension on account of petitioner if implicated in a criminal case in the offence under Section 420 of the IPC.
2. Counsel for the petitioner fairly submits that subsequently the department has filed the charge sheet both in the criminal case as well as charge sheet has been issued in departmental enquiry.
3. Given the aforesaid facts and circumstances of the case this Court does not find any strong case made out at this juncture for this Court to interfere with the order of suspension. However, reluctance of this Court to entertain the writ

petition would not preclude the petitioner from availing other remedies available to him for ventilating her grievance.

4. The writ petition accordingly stands dismissed with the aforesaid liberty.

Sd/-

(P. Sam Koshy)
JUDGE

Rohit