

**HIGH COURT OF CHHATTISGARH, BILASPUR****WRIT PETITION (S) NO.1767 OF 2019**

1. Chandram Yadav S/o Shri Manglu Ram Yadav Aged About 41 Years R/o Village Bareli, Post Bareli, Block Kasdol, District Baloda Bazar - Bhatapara Chhattisgarh.

**...Petitioner(s)****Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of School Education, Mantralaya, Mahanadi Bhawan Atal Nagar, District Raipur Chhattisgarh.
2. Director, Directorate Of Public Instructions, Sector 19, Kotara Bhantha, Atal Nagar, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
3. District Education Officer, Janjgir, District Janjgir Champa Chhattisgarh.
4. Jila Panchayat Janjgir Champa, Through Its Chief Executive Officer, Janjgir District Janjgir Champa, Chhattisgarh.
5. Head Master, Government Primary School, Karmandi, Block Navagarh, District Janjgir Champa Chhattisgarh.

**... Respondent(s)**

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|----------------------|---|-----------------------------------------------|
| For Petitioner       | : | Shri Amrito Das and Shri K. Rohan, Advocates. |
| For Respondent-State | : | Shri Sameer Behar, Panel Lawyer.              |

**Hon'ble Shri Justice P. Sam Koshy****Order on Board****15.03.2019**

1. The grievance of the petitioner is that though he has been placed under suspension on 05.08.2017 and more than 20 months having been passed, the department has not progressed with the Departmental Enquiry contemplated against the petitioner.
2. The contention of the petitioner is that except for issuance of the charge sheet, no further development has taken place and there is total uncertainty on the part of the respondents so far as conclusion of Departmental Enquiry is concerned. He further submits that under the circumstances, the respondent No.4 is liable to reconsider the order of suspension issued against the petitioner particularly keeping

in view the judgment of Supreme Court in case of Ajay Kumar Choudhary Vs. Union of India & Another, 2015(7)SCC 291.

3. Given the aforesaid factual matrix of the case which is undisputed, this court is of the opinion that no fruitful purpose would be served in keeping this petition pending, rather ends of justice would be served if this petition is disposed of with a direction to the respondent No.4 to reconsider the case of the petitioner and decide as to whether there is any further necessity in continuing the suspension of the petitioner. Let the respondent No.4 take a decision at the earliest preferably within a period of three months from the date of receipt of copy of this order and decide the same by passing a speaking order keeping in view the observations made by the Supreme Court in case of Ajay Kumar Choudhary (Supra).
4. It shall be the responsibility of the petitioner to apprise the respondent No.4 so far as the order passed by this court is concerned.
5. The writ petition accordingly stands disposed of.

Sd/-  
(P. Sam Koshy)  
**Judge**