

HIGH COURT OF CHHATTISGARH AT BILASPURWPS No. 2092 of 2019

P. Vijay Kumar S/o Shri P.R. Mohan Rao, Aged About 37 Years,
Teacher (L.B.) Government High School, Konta, District Sukma
Chhattisgarh.

---Petitioner

Versus

1. State Of Chhattisgarh, Through - The Secretary, School Education Department, Mahanadi Bhawan, Atal Nagar, New Raipur, Chhattisgarh.
2. Chief Executive Officer, Zila Panchayat Sukma, District Sukma Chhattisgarh.
3. Chief Executive Officer, Zila Panchayat Dantewada, District Dantewada Chhattisgarh.
4. District Education Officer, Sukma District Sukma, Chhattisgarh.
5. Chief Executive Officer, Janpad Panchayat Konta, District Sukma, Chhattisgarh.
6. Principal Government Higher Secondary School, Konta, District Sukma, Chhattisgarh.

---Respondents

For petitioner	:	Shri Somkant Verma, Advocate.
For State	:	Shri Sameer Behar, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

26/03/2019

1. The grievance of the petitioner in the instant Writ Petition is that, the petitioner was placed under suspension on 28/03/2011 and he was also chargesheeted on the same day and though more than 9 years have lapsed, the departmental enquiry initiated against the petitioner has till date not been concluded and the petitioner is forced to remain under suspension.

2. The counsel for the petitioner drew the attention of this Court to the enquiry report submitted by the Chief Executive Officer, Janpad Panchayat, Konta which is enclosed along with the Writ Petition where the enquiry report appears to be in favour of the petitioner.
3. In the given facts, since the petitioner is being proceeded for a disciplinary action for more than 9 years, this Court is of the opinion that ends of justice would meet if the Writ Petition is disposed off with a direction to the respondent No.2 to ensure that the departmental enquiry is concluded at the earliest preferably within a period of 4 months from the date of receipt of copy of this order. In case if the respondent No.2 finds it difficult to conclude the departmental enquiry within the aforesaid time limit, then appropriate steps should be taken for closing or dropping of the matter at the earliest.
4. Meanwhile, the respondent No.2 is further directed to ensure that the petitioner who is under suspension is paid the subsistence allowance regularly, also for the period that has he not been paid till now.
5. The Writ Petition accordingly stands disposed off.

Sd/-
(P. Sam Koshy)
JUDGE