

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 4703 of 2019**

B. R. Kathane S/o Late Atmaram Kathane, Aged About 58 Years,
Working As Assistant Project Officer (Under Suspension) Office Of
Jila Panchayat, Balod, Presently Residing At Naya Amapara, Post
Mohan Nagar, District Durg, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Additional Chief Secretary, Panchayat
And Rural Development Department, Mahanadi Bhawan, Mantralaya,
Atal Nagar, Naya Raipur, Chhattisgarh
2. Chief Executive Officer, Jila Panchayat Balod, District Balod
Chhattisgarh

---- Respondents

For Petitioner	:	Mr. T. K. Jha, Advocate
For State	:	Mr. Jitendra Pali, Dy. A.G.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****28.06.2019**

1. The challenge in the present writ petition is to the order of suspension dated 29.04.2019.
2. Perusal of the record would show that the petitioner was already under suspension vide order dated 23.01.2018.
3. Contention of the State counsel is that the subsequent order has been passed by the State Govt. in the light of the charge sheet in the criminal case that has been filed against the petitioner for the offence

punishable under Sections 420, 467, 468 471, 201 & 120-B of IPC.

He submits that the allegation against the petitioner is that of obtaining employment by producing false documents.

4. Be that as it may, since the order of suspension under Section 9 of the Chhattisgarh Civil Services (Classification, Control & Appeal) Rules, 1966 (for short 'the Rules of 1966') is an appealable order under Rule-23 of the Rules of 1996, this Court is of the opinion that let the petitioner prefer an appeal before the appellate authority under Rule-23 of the Rules of 1996. The appellate authority in turn may take into consideration the grounds and the submissions of the petitioner in the said appeal and decide the same in accordance with law. It is expected that subject to the petitioner preferring an appeal promptly, the appellate authority shall decide the appeal within the period prescribed under the rules.
5. The writ petition accordingly stands disposed of.

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