

HIGH COURT OF CHHATTISGARH AT BILASPUR**WRIT PETITION (S) NO. 7178 OF 2019**

Hemant Yadav, S/o Late Shri Sitaram Yadav, aged about 39 years, Clerk cum Computer Operator at Jila Sahakari Kendriya Bank, Branch Masturi, District Bilaspur (CG)

... Petitioner

versus

1. State of Chhattisgarh, through Secretary, Department of Cooperative Societies, Mahanadi Bhawan, Naya Raipur, District Raipur (CG)
2. Registrar, Cooperative Societies of Chhattisgarh, Block-B, 2nd and 3rd Floor, Indrawati Bhawan, Naya Raipur, District Raipur (CG)
3. Chief Executive Officer, Jila Sahakari Kendriya Bank Maryadit, Bilaspur (CG)

... Respondents

For Petitioner	:	Mr. Basant Dewangan, Advocate
For Respondent-State	:	Mr. Chandresh Shrivastava, Dy. A.G.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

12/09/2019

1. Challenge in the present writ petition is to the order of suspension, dated 8.2.2019 (Annexure P-1), passed by respondent no.3.
2. Learned counsel for the petitioner assailing the said order submits that the petitioner has never been put into custody and has also got anticipatory bail from this High Court and therefore placing the petitioner under suspension is not proper. He further submits that the respondents could have waited till the outcome of the criminal case and then appropriate decision could be taken.
3. This argument of the petitioner is not sustainable for the reason that, under the service jurisprudence a person against whom a criminal case has been filed and a charge-sheet has also been filed can be put under suspension. In the instant case, charge-sheet has been filed. The impugned order has been issued after the filing of the charge-sheet and therefore it cannot be said that the order of suspension is either contrary to the rules or in any manner arbitrary or has been issued with *malafides*. In view of the same, this Court does not find the impugned order of suspension to be interfered with.
4. Accordingly, the writ petition is dismissed.

Sd/-
(P. Sam Koshy)
Judge