

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 8099 of 2019**

Murleeram Sahu S/o Late Shri Ledgu Ram @ Ledga Ram Aged About 51 Years R/o Ward No.2, Bajrangpur, Navagaon, Police Station- Kotwali, District- Rainandgaon, Chhattisgarh., District : Rajnandgaon, Chhattisgarh

---- Petitioner**Versus**

1. Jila Sahkari Kendriya Bank Mydt. Rajnandgaon, Chhattisgarh, Through The Branch Manager, Jila Sahkari Kendriya Bank Mydt. Rajnandgaon, Chhattisgarh., District : Rajnandgaon, Chhattisgarh
2. The Chief Executive Officer Jila Sahakari Kendriya Bank Mydt. Rajnandgaon, Chhattisgarh., District : Rajnandgaon, Chhattisgarh

----Respondents

For Petitioner	:	Mr. Pallav Mishra, Advocate
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Hon'ble Shri Justice P. Sam Koshy**Order on Board****03/10/2019**

1. The grievance of the petitioner in the present writ petition is that the petitioner has made repeated representations to the authorities concerned for revocation of suspension as the petitioner has already remained under suspension for a period of more than 2 years, but the respondents have till date not taken any decision.
2. The contention of the petitioner is that he has been placed under suspension on 01.05.2017 on account of the petitioner being involved in a criminal case for the offence punishable under Sections 420, 467, 468, 471 and Section 34 of the Indian Penal Code.
3. Perusal of the record would show that the petitioner has undergone custody for a period of more than 15 months and was later on released on bail by an order passed by the High Court.
4. The contention of the petitioner is that the criminal case would take quite some time and therefore the petitioner should not be kept under

suspension for indefinite period only on account of the pendency of the criminal case.

5. Perusal of the record would show that the petitioner in fact had been prosecuted in two of the crimes for the similar offences, both registered at Police Station Kotwali, District Rajnandgaon vide Crime Nos. 27/2017 and 42/2017. He was placed under suspension on account of his being arrested and put under custody. All said and done, the petitioner has by now remained under suspension for a period of about two years now.
6. Given the said facts, the case of the petitioner needs consideration by the authorities in the light of the judgment of the Hon'ble Supreme Court in the case of ***“Ajay Kumar Choudhary v. Union of India through its Secretary and Anr.”*** reported in ***[2015 (7) SCC 291]***.
7. Without expressing any opinion on the merits of the case, so far as entitlement for revocation is concerned, let the respondent No.2 consider whether there is any necessity for keeping the petitioner under suspension any further or not?
8. While deciding the same the respondent authorities would also look into the aspect as to whether it would be advisable considering the nature of allegations leveled against the petitioner for taking him back in service pending the criminal case before the Criminal Court. Let this exercise be completed by the respondent No.2 at the earliest.
9. With the aforesaid observations, the present writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge