

HIGH COURT OF CHHATTISGARH AT BILASPURWPS No. 8478 of 2018

Dhansai Sidar S/o Late Maya Ram, aged about 54 years, R/o village Dhorrobija, P.S. Lailunga, District Raigarh (C.G.).

---Petitioner

Versus

1. The State Of Chhattisgarh Through The Secretary, Department of School Education, Mantralaya, Naya Raipur, District Raipur, Chhattisgarh.
2. Director, Lok Shikshan Sanchalnalaya, Indrawati Bhawan, Atal Nagar, District Raipur (C.G.).
3. District Education Officer, Raigarh, District Raigarh (C.G.).

---Respondents

For petitioner	:	Shri Shashank Thakur, Advocate.
For State	:	Shri Ratan Pusty, Government Advocate.

Hon'ble Shri Justice P. Sam KoshyOrder on Board

02/01/2019

1. The challenge in the present Writ Petition is to the order Annexure-P/1 dated 01/12/2018 whereby the petitioner has been placed under suspension invoking Rule 9 of the Chhattisgarh Civil Services (Classification, Control and Appeals) Rules, 1966.
2. Perusal of Rules, 1966 would reveal that the said order is an appealable order under Rule 23. It seems that the petitioner has not availed the statutory remedy of appeal and have straight away rushed to the Writ Court challenging the same.
3. Thus, this Court is not inclined to entertain the Writ Petition on account of availability of statutory alternative remedy of appeal.

4. In the given facts, the instant Writ Petition stands disposed off with a direction that in case if the petitioner so choose, he may prefer an appeal against the said order of suspension before the Appellate Authority within a period of 10 days from today. That on such appeal being made, the Appellate Authority is directed to consider and decide the same within the period prescribed for deciding the appeal under Rules.

5. The Writ Petition accordingly stands disposed off.

Sd/-
(P. Sam Koshy)
JUDGE

Sumit