

HIGH COURT OF CHHATTISGARH AT BILASPURWPS No. 203 of 2019

Chandra Shekhar Gupta S/o Shri Late Shri Rameshwar Gupta, Aged About 49 Years, Presently Holding The Post Of Assistant Revenue Officer, R/o Ward No. 14, Gupta Para, Tahsil Kawardha, District- Kabirdham, Chhattisgarh.

---Petitioner

Versus

1. State Of Chhattisgarh, Through The Secretary, Department Of Urban Administration And Development Department, Mahanadi Bhawan, New Raipur, District- Raipur, Chhattisgarh.
2. Chief Municipal Officer, Municipal Counsel Kawardha, District- Kabirdham, Chhattisgarh.
3. M. L. Kurre, Assistant Engineer/Enquiry Officer, Municipal Counsel Kawardha, District- Kabirdham, Chhattisgarh.

---Respondents

For petitioner	:	Shri Ajit Singh, Advocate.
For State	:	Shri Jitendra Pali, Dy.A.G.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

14/01/2019.

1. The relief sought for by the petitioner in the instant Writ Petition is for direction to the respondents to consider his case for revocation of suspension. The further relief sought for is for direction also to the respondents for concluding the departmental enquiry at the earliest.
2. Considering the limited grievance which the petitioner has raised and on perusal of record it appears that, the departmental enquiry initiated against the petitioner has also been concluded by the Enquiry Officer and has submitted his enquiry report before the disciplinary authority who in turn has

sought for an explanation from the petitioner vide Annexure-P/9 dated 23/10/2018. The petitioner has also given a reply to the said show cause notice, but no final decision has thereafter be taken.

3. According to the counsel for the petitioner, the petitioner has been placed under suspension for well over 9 months now and therefore the respondent authorities may also consider whether the order of suspension has to be further continued or not.

4. At thus juncture, the counsel for the petitioner drew the attention of this Court to Annexure-P/9 wherein the respondents have now appointed one Santosh Kumar Dhurwe – one of the witness in the course of enquiry as the presenting officer for the remaining part of the enquiry.

5. The petitioner immediately has also raised an objection by way of representation to the respondent No.2 in this regard for taking an early decision in accordance with rules.

6. Given the aforesaid factual matrix of the case, let the respondents take an early decision on the prayer of the petitioner so far as revocation of his suspension is concerned. Likewise, the respondent authorities are further directed that the enquiry which has been initiated against the petitioner also is concluded at the earliest without any further delay and the enquiry should be conducted in accordance with rules and regulation governing the service conditions of the petitioner.

7. So far as the prayer for revocation of suspension is concerned, the authorities concerned shall take a decision at the earliest preferably within a period of 60 days from the date of receipt of copy of this order.

8. With the aforesaid observations, the Writ Petition stands disposed off.

Sd/-

(P. Sam Koshy)
JUDGE

Sumit