

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 10283 of 2019**

- Pyarelal Barman S/o Shri Raniram Barman Aged About 53 Years Presently Working As Principal, Government Higher Secondary School, Dongripali, Block Baramkela, District Raigarh Chhattisgarh., District : Raigarh, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through - The Secretary, School Education Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, Nava Raipur, District : Raipur, Chhattisgarh
2. Director, Public Instructions, Indrawati Bhawan, Atal Nagar, Nava Raipur, District : Raipur, Chhattisgarh

---- Respondents

For Petitioner : Mr. C.J.K. Rao, Advocate

For Respondent : Mr. Soumya Rai, PL

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****06/12/2019**

Heard.

1. Learned counsel for the petitioner submits that the petitioner has filed this petition aggrieved by continuance of suspension order which was passed on 30.03.2019. Learned counsel for the petitioner submits that after suspension order was passed, inquiry has been initiated, charge-sheet has been filed, which has also been replied by the petitioner. Learned counsel for the petitioner contended that in view of the law laid down by the Supreme Court in the case of **Ajay Kumar Choudhary V. Union of India, (2015) 7 SCC 291**, the suspension is liable to be revoked.

2. Learned State counsel submits that the case of the petitioner shall be considered in accordance with law.
3. In view of the aforesaid submission, at this stage, the petition is disposed off. If the petitioner prefers separate representation before Respondent No.1, stating the grounds and Respondent No.1 shall consider the same by recording clear reasons whether suspension order shall further continue or not applying the law laid down by the Apex Court in case of **Ajay Kumar Choudhary** (supra). The exercise shall be completed within 45 days from the date of submission of the representation by the petitioner to Respondent No.1.
4. The petition is accordingly disposed off.

Sd/-
(**Goutam Bhaduri**)
Judge