

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 147 of 2020**

- Braj Lal Patel S/o Shri Santosh Kumar Patel Aged About 64 Years Retired Assistant Conservator Of Forest, O/o The Sub Divisional Officer, Kanker, District Kanker, Chhattisgarh. R/o HIG-7, Sector-7, Phase-1, Kabeer Nagar, Raipur, District Raipur, Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Forest, Mantralay, Mahanadi Bhawan, Atal Nagar, Raipur, Chhattisgarh.
2. The Prime Chief Conservator Of Forest Chhattisgarh, Head Quarter Aranya Bhawan, Atal Nagar, Raipur, District Raipur, Chhattisgarh.
3. The Divisional Forest Officer Kanker, District Kanker, Chhattisgarh.

---- Respondents

For Petitioners	:	Shri Rajesh Kumar Kesharwani, Advocate
For Respondents/ State	:	Ms. Beenu Sharma, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****10/01/2020**

1. The grievance of the petitioner is that the punishment was inflicted on the petitioner by order dated 04.12.2012 whereby the petitioner was punished by withholding of one increment and recovery of Rs. 1,09,000/-. It is contended that thereafter the petitioner has preferred the departmental appeal as available against such punishment on 26.12.2012 (Annexure P-5) in the meanwhile the petitioner has made reminders by letter on 16.06.2014 and 31.07.2018 respectively but the appeal has not yet been decided.
2. Perusal of the documents would show that punishment was inflicted on

petitioner and against that a department appeal was preferred on 28.12.2012 (Annexure P-5). Thereafter, the reminders were given by the petitioner on 16.06.2014 and subsequently on 31.07.2018. The petitioner is said to be retired as of now.

3. Considering the fact, that the petitioner has already availed the departmental appeal and the same is required to be decided therefore having availed such inter departmental remedy it cannot be kept in abeyance for time immemorial. Considering the same, it is directed that the departmental appeal preferred by the petitioner to the State shall be decided within an outer limit of 4 months from the date of receipt of a copy of this order.
4. With the aforesaid observation, the petition stands disposed of.

Sd/-

Goutam Bhaduri
Judge

Jyoti