

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 659 of 2020**

1. Smt. Girija Verma W/o Shri Pitambar Verma Aged About 45 Years R/o Village Dhandongri, Post - Patpar, Tahsil Dongargarh, District - Rajnandgaon, Chhattisgarh
2. Ashwani Kumar Sahu S/o Shri Krishna Ram Sahu Aged About 36 Years R/o Village Dhandongri, Post - Patpar, Tahsil Dongargarh, District - Rajnandgaon, Chhattisgarh
3. Kejuram Sahu S/o Shri Godhan Sahu Aged About 45 Years R/o Village Govindpur, Post - Lalbahadur Nagar, Tahsil Dongargarh, District - Rajnandgaon Chhattisgarh

---- Petitioners**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Panchayat And Rural Development, Mahanadi Bhawan, Mantralay, Atal Nagar, District Raipur, Chhattisgarh
2. Collector Rajnandgaon District Rajnandgaon, Chhattisgarh
3. Chief Executive Officer Zila Panchayat Rajnandgaon, District Rajnandgaon, Chhattisgarh
4. Chief Executive Officer Janpad Panchayat Dongargarh, District Rajnandgaon, Chhattisgarh

---- Respondents

For Petitioners : Shri Arvind Dubey, Advocate

For Respondents/State : Ms. Akanksha Jain, Dy. GA

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****06/02/2020**

1. Heard.
2. The order under challenge is passed by the Chief Executive Officer, Janpad

Panchayat, Dongargarh under the Chhattisgarh Panchayat (Appeal & Revision) Rules, 1995.

3. Learned counsel for the petitioners would submit that the petitioners though were suspended on 24.06.2019 but till date no charge-sheet has been given and the suspension is in the final nature which cannot be continued for time immemorial.
4. Since the order under challenge is passed by the Chief Executive Officer, Janpad Panchayat, it would be appealable under the Chhattisgarh Panchayat (Appeal & Revision) Rules, 1995 (for short 'the Rules, 1995'), therefore, the petitioners may avail the remedy of filing of appeal under the Rules, 1995 along with the application for condonation of delay. The petitioners, if so advised, may file the appeal before the appropriate authority and if the proper application is preferred to condone the delay, the same may be decided objectively taking into the fact that the petition was preferred before this Court and shall decide the appeal accordingly.
5. With the aforesaid observation, the writ petition stands disposed of.

Sd/-

Goutam Bhaduri
Judge

Ashu