

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 1365 of 2020**

- Lalaram Tandan S/o Shri Kunwar Singh Aged About 53 Years R/o Near Bhoramdeo Road, Godna Resort, Shiv Vihar Colony, Kawardha District Kabirdham Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Scheduled Caste And Scheduled Tribal Development Department, Mahanadi Bhawan, New Raipur Chhattisgarh
2. The Collector (Adivasi Vikas) Kabirdham District Kabirdham Chhattisgarh
3. The Assistant Commissioner (Adivasi Vikas) Rajnandgaon District Rajnandgaon Chhattisgarh

---- Respondents

For Petitioner	:	Shri Rakesh Pandey, Advocate
For Respondents/ State	:	Shri Kunal Das, P.L

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****02/03/ 2020**

1. Heard.
2. The grievance of the petitioner is that the petitioner was initially appointed as Assistant Teacher on 22.02.1989 and for a case registered under the Essential Commodities Act, 1955 he was suspended on 08.12.2017. Subsequently, it resulted to acquittal of the petitioner on 01.06.2019 in Criminal Case No. 26/2017. Thereafter, the suspension of the petitioner has been revoked by order dated 26.11.2019 (Annexure P-1) and he has been reinstated back to his service. He further submits that the petitioner has not been paid salary for the period of suspension. It is contended that the departmental enquiry was not conducted and the petitioner has filed a

representation (Annexure P-6) to grant the arrears of pay in between the period of suspension and revocation, which may be directed to be decided by the respondents.

3. Considering the fact and the limited payer made, at this stage, the document shows that the petitioner has already been acquitted of charges of the Essential Commodities Act, 1955. Perusal of Annexure P-1 purports that the suspension of the petitioner has been revoked for the reason that he has been acquitted in the criminal case. In the facts of this case, since representation has already been made for release of arrears of pay from 08.12.2017 to 26.11.2019, the Collector (Respondent No. 2) shall decide the representation of the petitioner taking into fact that the prosecution of petitioner has resulted into acquittal within a period of 3 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