

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 1939 of 2020**

- Arun Kumar Komre S/o Late Durjan Singh Komre Aged About 52 Years Working As Assistant Teacher At Govt. Primary School, Dongarkatta, Block-Bhanupratap-Pur, District Kanker, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through- The Secretary, School Education officer, Mahanadi Bhawan, Atal Nagar, New Raipur, Chhattisgarh
2. The Collector, Kanker District- Kanker (Chhattisgarh)
3. District Education Officer, Kanker District- Kanker, Chhattisgarh

---- Respondents

For Petitioner : Shri Somkant Verma, Advocate

For Respondents/ State : Shri Alok Bakshi, Addl A.G.

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****22/05/2020**

1. The grievance of the petitioner is that pursuant to the criminal charges leveled against the petitioner, he was suspended on 07.12.2002 which was eventually revoked on 20.05.2004. It is contended that the petitioner thereafter was acquitted from the criminal charges on 02.11.2017. It is further contended that against such acquittal, State filed an appeal that too was dismissed by the Sessions Court on 07.12.2018, thereby the petitioner was exonerated of the criminal charges. It is further contended that the petitioner was subjected to departmental enquiry which was not concluded and therefore a representation (Annexure P-4) has been filed before Respondent No. 3 on 05.01.2019, wherein it has been prayed that the departmental enquiry be closed and he may be paid the dues for his

suspension period along with the other dues.

2. Learned counsel for the petitioner at this stage prays that the representation (Annexure P-4) may be decided and State may conclude the departmental enquiry within a specified period or may close the same according to their own choice based on facts.
3. I have heard learned counsel for the parties and perused the documents.
4. Considering the prayer made and since the departmental enquiry is pending against the petitioner which appears to be of 2004, State is directed to decide the representation of the petitioner which includes either of closer of the departmental enquiry or conclusion of departmental enquiry within a specified period of time. The representation includes two fold prayer, thus it would be within the discretion of the State to adjudicate the same in accordance with the fact available in the particular case with the finding to adjudicate the representation filed by Respondent No. 3 within a period of 60 days from the date of receipt of a copy of this order.
5. With the aforesaid observation, the writ petition stands disposed off.

Sd/-

Goutam Bhaduri
Judge