

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 2164 of 2020**

- Dr. Shatrughan Singh S/o Shri Awad Prasad Singh Aged About 53 Years Occupation Veterinary Assistant Surgeon In The O/o Veterinary Hospital, Mungeli Chhattisgarh, R/o F/3, J.A.D. Government Colony, Kheda Mungeli, Chhattisgarh

---- Petitioner**Versus**

1. The State Of Chhattisgarh Through Secretary Livestock Development Department New Secretariat, Mahanadi Bhawan Raipur, Chhattisgarh
2. The Director Veterinary Services, Directorate Indravati Bhawan, Block No.3 Ground Floor, New Raipur, Chhattisgarh

---- Respondents

For Petitioner : Shri Rohit Sharma, Advocate

For Respondents/State : Shri Amrito Das, Addl. AG

Hon'ble Shri Justice Goutam Bhaduri**Order****22/06/2020**

1. Heard.
2. The grievance of the petitioner is that the petitioner was initially suspended on 17.04.2014 vide Annexure P-1 subsequently, the suspension was revoked on 29.02.2016 vide Annexure P-2, however, when such reinstatement order was passed it was observed that the suspension period of the petitioner shall be decided separately.
3. Learned counsel for the petitioner refers to the judgment passed by this Court in W.A. No.139 of 2019 dated 21.02.2019, wherein the following substantial order

was passed and the relevant part thereof is reproduced hereinbelow:-

“7. A Simple direction upon Respondent authorities was all that was needed keeping in mind that the order dated 14.01.2016 which was an order of revocation of suspension was not a decision taken in relation to what is to be done with the Petitioner in regard to his service for the period of suspension. Since the said order of 14.01.2016 by which suspension was revoked was not a decision with regard to how the period of suspension is to be treated irrespective of the arguments so made, noted which became the reason for dismissal of the writ application, appeal stands disposed off with a direction upon the competent authority that keeping in mind that the order of revocation of suspension was issued on 14.01.2016 and almost more than 3 years have elapsed, the competent authority will have an obligation to take a decision as to how they would like to treat the period of suspension of the Petitioner.”

Learned counsel for the petitioner would submit that therefore, the respondent No.1 be directed to decide the entitlement of the petitioner during period of suspension inconsonance with the law laid down in W.A. No.139/2019.

4. Perused the order of suspension dated 17.04.2014 (Annexure P-1) and the reinstatement order dated 29.02.2016 (Annexure P-2). Taking into such fact that the entitlement of the petitioner to the period of suspension is required to be decided which may include salary and other benefits, the petitioner is given liberty to make a representation before the respondent No.1 within a period of three weeks from today and the petitioner shall also be at liberty to attach all the necessary documents including the order passed in W.A. No.139/2019. Thereafter, on such representation being filed, the respondent No.1 shall decide the same within a further period of 90 days from the date of receipt of the representation.

5. With the aforesaid observation, the writ petition stands disposed of.

Sd/-

Goutam Bhaduri
Judge