

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 2578 of 2020

B.S. Kanwar S/o M.S. Kanwar Aged About 47 Years R/o MIG- 63-A,
Dindayal Colony, Mangala, Bilaspur, District- Bilaspur, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh The Secretary, Water Resources Department, Mantralaya, Mahanadi Bhawan, Atal Nagar Nawa Raipur, District- Raipur, Chhattisgarh.
2. Under-Secretary, Water Resources Department, Mantralaya, Mahanadi Bhawan, Atal Nagar Nawa Raipur, District- Raipur, Chhattisgarh.
3. Engineer In Chief, Water Resources Department, Raipur, Shivnath Bhawan, District- Raipur, Chhattisgarh.

---Respondents

For petitioner – Shri Syed Majid Ali, Advocate.
For State- Shri Amrito Das, Addl. A.G.

Hon'ble Shri Justice Goutam Bhaduri

Order

03/07/2020

Heard.

1. Learned counsel for the petitioner would submit that the petitioner was suspended by order dated 5/11/2019, thereafter 90 days have passed suspension has not been revoked by order. Learned counsel for the petitioner submits that after suspension order was passed, inquiry has been initiated, charge sheet has been filed, which has also been replied by the petitioner. Learned counsel for the petitioner contended that in view of the law laid down by the Supreme Court in the case of **Ajay Kumar Choudhary V. Union of India, (2015) 7 SCC 291**, the suspension is liable to be revoked.
2. Learned State counsel submits that the case of the petitioner shall be considered in accordance with law.
3. In view of the aforesaid submission, at this stage, the petition is

disposed off. If the petitioner prefers separate representation before Respondent No.1, stating the grounds and Respondent No.1 shall consider the same by recording clear reasons whether suspension order shall further continue or not applying the law laid down by the Apex Court in case of **Ajay Kumar Choudhary** (supra). The exercise shall be completed within 45 days from the date of submission of the representation by the petitioner to Respondent No.1.

Sd/-

(Goutam Bhaduri)

JUDGE